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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Third and fourth periodic reports of States parties

AUSTRIA*

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For the initial report submitted by the Government of Austria, see CEDAW/C/5/Add.17; for its consideration by the Committee, see CEDAW/C/SR.51, CEDAW/C/SR.55, CEDAW/C/SR.56 and CEDAW/C/SR.62, and Official Records of the General Assembly, Fortieth Session, Supplement No. 45 (A/40/45), paras. 180-231. For the second periodic report submitted by the Government of Austria, see CEDAW/C/13/Add.27; for its consideration by the Committee, see CEDAW/C/SR.184 and Official Records of the General Assembly, Forty-sixth Session, Supplement No. 38 (A/46/38), paras. 303-333.

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This report to the Committee on the Elimination of Discrimination against Women provides information on changes that have affected the situation of women in Austria in the course of the past decade. It describes the everyday problems acting as obstacles on the way towards full equality of sexes, and illustrates the major legal measures taken in the period from 1989 to 1995, programs for the advancement of women, initiatives launched by and for women as well as other relevant projects.

In many respects, the achievements of the past decade were the logical outcome of work begun previously in Austria. The 'seventies have gone down in history as the decade of socio-political reforms. These reforms gave women a much higher degree of personal independence, and offered them clearly better chances to organize their individual lives (reform of the Austrian Family Law, liberalization of abortion, higher educational qualifications).

Thus the necessary groundwork was laid for further changes. In the period from 1989 to 1995, women primarily intensified their efforts to establish themselves firmly in the public sector. They gave priority to reaching the goals of equal treatment in the work and a more equitable distribution of positions in politics and in the administration (quota rules, legislation on equal treatment, programs for the advancement of women, appointment of equality ombuds persons).

At the same time, it is apparent that there is a discrepancy between the equal treatment principle as enshrined in law and the realities of women's lives. As compared with men, women enjoy a lesser degree of social protection. What is the reason? Our social system is geared to the "normal male biography" and rewards full employment and continuous gainful activity. Women are expected by society to lower their career aspirations for the benefit of their families.

Women's policies cannot be restricted to offering women compensation for the manifold disadvantages they suffer in society, but that goal must be to eliminate these disadvantages. This means that we must pursue a policy that takes into account the life circumstances of women, which differ significantly from those of men and does not allow a petrifaction of the traditional pattern of sex-stereotyped tasks and roles. We need to interpret equality as a comprehensive concept on which democracy and distribution policies are based.

Dr. Helga KONRAD
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Austria

SECTION 1

Austria ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1982 and submitted its first report in 1983 (CEDAW-C-ADD 17, of Nov. 1, 1983). This report together with its supplements was dealt with in the 4th CEDAW meeting in Vienna (Jan. 21 to Feb. 2, 1985; A/40/45, Supplement No. 45). The second report covered the years 1983 to 1988 (final corrections February 1989) and was dealt with and adopted in the CEDAW meeting of February 1991. Since the deadline for the third and fourth report could not be met, the present report is a comprehensive account of the period from January 1989 to December 1995. It has been drawn up by the Federal Minister for Women's Affairs on the basis of the report submitted to the World Conference on Women in Beijing by the delegation representing the Austrian government and on the basis of the report "Women in Austria" which has to be produced every ten years. The text was co-ordinated with the equal treatment officers and the officials in charge of Women's Affairs in the various ministries. This text accommodates all corrections received by July 26, 1996.

During the period under review, a decisive factor in establishing the equality of men and women as defined by the Convention was the growing presence of women in the public sphere: In recent years, women-related political work has become increasingly institutionalised at the Federal level (setting up of women's divisions in the individual ministries) as well as at the levels of the Federal provinces and the local authorities. The new priorities logically resulting from the women-related policies of the seventies, which have gone down in history as the decade of socio-political reform (reform of family law, first-trimester legal abortion, raising of the educational level), were equal treatment in the world of work and a more equitable distribution of positions in the political and administrative sphere (quota rules, equal treatment legislation, affirmative action programmes for women, appointment of officers for Women's Affairs, act on parental leave and establishment of an ombuds office for equal treatment issues). The nineties, on the other hand, seem to be characterised world-wide by regressive trends

(e.g. deregulation, privatisation, dismantling of welfare services, xenophobia, the growth of fundamentalism in the religious sector, right-wing extremism), which could once again encourage the rise of gender-specific inequality.

After a brief demographic introduction, this report presents the most important statutory and structural measures taken since 1989, such as affirmative action programmes, initiatives launched by and for women as well as pertinent projects. The report documents Austria's intention to implement socio-political reforms aimed at "safeguarding women's share in social and economic life within a changed social and economic environment". The absence of such a declared political intent would lead to disharmony in society and between the sexes. In the coming decade, women's policies in Austria will, therefore, have as their strategic objectives the full implementation of the equality of women and men; the development of labour market policies designed to secure and to create jobs for women; the facilitation of their re-entry into working life after interruptions in their careers or periods of unemployment; the provision of better social security for women in "negligible" employment, and the improvement of the career situation of women by providing more information about non-gender-specific career opportunities for girls. Other central concerns are the provision of a sufficient number of crèches, kindergartens and similar facilities with user-friendly opening times, to ensure that job and family commitments can be reconciled; effecting an increase in the number of women in high-ranking positions in political, economic, administrative, scientific and other socially important spheres; new rules to guarantee maintenance for women in the case of divorce, and the creation and development of comprehensive support facilities for women and children who are victims of violence (child protection centres, women's refuges, emergency phone numbers for women who have been raped and other appropriate support facilities, information material for different professional and occupational groups and for the persons involved, and more effective statutory regulations to keep the perpetrator away from the victim). Over and above this, an active and

progressive Austrian gender policy at both the national and the supra-national level is to be considered indispensable.

Currently , Austria has a population of slightly more than 8 million, 51.6% (4.100,000) of which are women , which means that the ratio of women to men is 1,000 to 940 (1985: 899). In the early eighties, women accounted for 52.7% of the population, a proportion which has meanwhile declined, as significantly more men than women immigrate to Austria. The numerical gender imbalance, which can in part still be attributed to the consequences of the Second World War, will become less pronounced in the future (forecast for 2015: 971 men to 1,000 women).

For both sexes, life expectancy continues to increase; however, it is significantly influenced by marital status (married people live longer). In 1993, the average life expectancy at birth was 79.4 years for women (1982: 76.3) and 72.9 years for men (1982: 69.2). According to the 1991 census, 1.748,000 (= 51.7%) of Austrian women above 15 are married (1981: 52.6%), 870,000 (=25.7%) are single (1981: 24.5%), 538,000 (=15,9%) are widowed (1981: 17.6%), 228,0000 (=6.7%) are divorced (1981: 5.1%).

The percentage of single women in the 20-25 age-group rose from 59.4% to 74.3% between 1981 and 1991, and in the 30-35 age group from 11.6% to 20.1%. In 1992, the age at marriage averaged 25 years for women (1983: 23) and 27 for men (1983: 25).

In 1992, the divorce rate stood at 33.7% (1985: 29.5%); in Vienna the divorce rate is 45% and thus surpasses the national average. At present, roughly 17,000 children and adolescents in Austria are affected by the divorce of their parents: of these young people, two thirds are below the age of 14. After a divorce or the death of a spouse markedly fewer women than men decide to remarry.

In Austria, as in comparable countries, the birth rate has been declining since the mid-sixties.

One result of this decline was that parents now attach greater importance to their children than previously. In 1987, when the fertility rate was 1.4 children per woman, the lowest mark so far was reached. After 1988, the number of births went up again (1993: 95,200 births or 11.9 per 1,000 inhabitants), which was mainly due to immigration.

In 1993, the age at giving birth averaged 29 for married women (1983: 24); as regards children born out of wedlock, the mothers' age averaged 27 years; the proportion of children born out of wedlock increased from 22.4% in 1983 to 26.3% in 1993.

The number of private households is increasing (by 34% between 1961 and 1991), whereas the number of persons living in one household is declining (currently the size of private households averages 2.5 persons). In the past few years, the number of women heading private households has shown a sharp increase. In 1994, women accounted for one third of heads of households.

There is still a discrepancy between the equal treatment principle as enshrined in law and the realities of women's lives; the social system is geared to the "normal male biography" and rewards full employment and continuous gainful activity. Household chores and child rearing are as a rule taken care of by women (wi[illegible] but hardly any allowance is made for the "female path through life", which is characterised by interruptions of gainful employment and atypical work patterns. Legal provisions, though couched in gender-neutral language, reinforce the inequality between men and women, when they link the application for social insurance coverage of wives with the loss of the tax benefit for single earners, or when they grant free health insurance coverage to permanent partners and fix (negligibility) limits for access to the social system: the negligibly employed are only covered by accident insurance but not by social insurance; this means that they have no claim to

retirement, health and unemployment benefits. The insufficient coverage of women becomes evident upon divorce, since women can claim maintenance payments or survivor's pensions only if the divorce was granted on grounds of fault on the part of the husband, which, however, applies to a mere 6% of all cases. The interruption of working life for the care of children is one cause for the marked income differential. For women who draw pensions of their own, the periods credited towards this pension fall roughly 8 years short of those of men. The increase in the number of people registered as negligibly employed (102,000 women, 39,000 men in October 1995) could mean that it is becoming more difficult, especially for women, to get employment with full social coverage and to acquire insurance periods (see Table V). In the past, the social partnership, which is a core element of Austria's political system, ensured that the interests of the gainfully employed - 57.4% of whom were men - had more political weight than those of the non-gainfully employed - 62.2% of whom were women. Moreover, the social partners perceive gainful employment essentially as a system in which women, without receiving remuneration, perform most of the caring tasks and the tasks of fostering relationships which are indispensable to society. This is why efforts are being made to increase the number of women in decision-making positions within the social partnership and to involve them increasingly in negotiations between the social partners.

In an agreement on the future co-operation between the four associations which make up the social partnership (Federal Economic Chamber, Presidents' Conference of the Chambers of Agriculture, Federation of Austrian Trade Unions and Federal Chamber of Labour) which was adopted in 1992, included the "special advancement and consideration of those sections of the population with specific problems (in the labour market), such as women", as one of the new objectives of the social partners, but no special commission for its implementation was set up in the Advisory Council for Economic and Social Matters.

One principal reason for the "feminisation" of poverty is the unfavourable situation of women in the labour market. Average daily rates of unemployment and emergency relief benefits (S 313,- for men, S 232,- for women in 1993) have been steadily raised. However, women receive, on average, only three quarters of the benefits paid to unemployed men, because they get markedly lower wages (wages are the assessment basis for unemployment benefits) and work more often in part-time employment (about one third of the gender-specific income differential is due to this fact). The daily rates of emergency relief payments reveal a similar discrepancy. In 1993, emergency relief payments to women averaged 79% of those received by men. In 1992, approximately 45% of unemployed women (14% of men) drawing unemployment benefit, in 1993, more than 80% of women receiving emergency relief payments had to make ends meet with amounts below the standard equalisation rates paid to singles by the pension insurance institution (S 7,000,-).

The demand for a minimum wage of S 10,000.- was first raised by the social democrats and the Federation of Trade Unions in 1990. In the meantime, this demand has been met by the majority of collective agreements. The amount of a desirable monthly wage has now been fixed at S 12,000.-

In 1989, 430,000 people in full-time employment, most of them women, still earned less than S 10,000.-. By 1992, this figure had been reduced to 150,000, and in 1993 to 110,000. In 1992, 450,000 persons in dependent employment earned less than S 12,000.- a month; of these 290,000 were women; in 1993, 350,000 persons in dependent employment earned less than 12,000.-; of these 220,000 were women. If the data on the incomes of persons in dependent employment are broken down by a weekly working time of 40 hours, the average net income of men, in 1993, was S 14,900.- and thus one fourth higher than that of women (S 11,900.-). In the private sector, male blue-collar workers had an income advantage of 40%, white-collar workers one of 45%; in the public sector (civil servants and contractual employees) the income advantage was 11%.

Women account for the majority of persons in dependent employment in the lowest 10% section of the net-income statistics. Whereas only every 18th man is a low-income earner, every sixth woman is one.

In 1990, approximately 355,000 women, or roughly 29% of women in dependent employment were part-timers (13-35 hours a week). Compared with full-time employment, the rate of part-time working rose over proportionally (7.5 times as much) between 1985 and 1990.

Regular working hours are defined as a work-week comprising between 36 and 40 hours, excluding, however, work at weekends, night work, shift, swing shift and rota work. Over the past few years, special working-time arrangements have been gaining considerable ground, which primarily affects women.

A study published in 1990 by the Federal Ministry of Labour and Social Affairs on the social and income situation of single parents showed that the per-capita income of persons in dependent employment living in single-parent households was one third lower than in average households; for persons in public employment it was roughly one eighth lower. The 50% increase (in 1974) in maternity benefit for single as well as for married mothers whose spouses have no or only a negligible income, has allowed these women to look after their children personally for the first two years of life, without having to give up their jobs.

The gender-specific differences in earned income influence the level of retirement benefits. In this context the disadvantage of lower remuneration is compounded by shorter insurance periods. Owing to the entitlement regulations (income of the partners) governing emergency relief payments, many unemployed women are not entitled to such payments, once their entitlement to unemployment benefit ceases, and consequently lose insurance periods.

Only in the civil service (excluding railway and post office employees) are median pensions paid to women only 9% below those of men. Even if women draw a widow's pension in addition to their own pension, they receive less than the median pension paid to men. In December 1994, the median pension of men who were covered by statutory pension insurance amounted to S 13,382.- per month, excluding allowances and supplements, that of women to a mere S 7,578.-

This disadvantage is to be at least partially offset by improvements in the crediting of child care periods towards the pension entitlement (pension reform 1993).

In 1994, the median pension drawn by male blue-collar workers for the first time (excluding allowances and supplements) was S 11,015.- (female blue-collar workers: S 6,267.-), by male white-collar workers S 18,135.- (female white-collar workers: 11,387.-).

In December 1990, the Constitutional Court ruled that the different statutory age limits for early retirement after prolonged insurance coverage (55 years for women, 60 years for men) were unconstitutional. However, the decision also said that before adjusting the age limits of men and women, the equality of women in society, family and the world of work would have to be guaranteed and that the adjustment could only be effected in the long term.

After intensive negotiations about new retirement age regulations and about supporting measures designed to eliminate disadvantages suffered by gainfully employed women, a comprehensive package of measures was adopted at the end of 1992, which led to changes in a number of labour standards (see in particular the comments re Art. 11).

For the advancement of women in the private sector, the Federal Ministry for Women's Affairs in co-operation with the Confederation of Austrian Industrialists launched a nation-wide initiative under the motto

"Women 2000 - Opportunities for Business Enterprises". This initiative is intended to support enterprises which are ready to offer women new career opportunities, to help them combine job and family and to adjust to new role models at their workplace.

The Federal Ministry of the Environment, Youth and Family is to support the initiative "Deeds Instead of Words", which has the task of motivating enterprises in the private and the public sector to establish equality of opportunity for female and male employees through affirmative action. A competition will be launched and a prize awarded to the most women and family-friendly enterprise. The criteria include: a proportion of women executives which is close to or exceeds that of their male counterparts, part-time employment schemes and family-friendly working times, in-service training and encouragement of re-entry into working life after the "family phase", gender-neutral advertising of vacancies, pro-women recruitment and awareness of the need for the advancement of women.

The Federal Ministry of Labour and Social Affairs has, in the past few years, organised events, launched studies and issued publications for the purpose of creating an awareness of their rights among women. Studies, surveys and analyses on the social and professional /occupational status of employees are continuously conducted and published by the departments dealing with "labour and labour relations and with equality of women and men". Basic facts and brochures were also published in English.

International contacts and co-operation have repeatedly revealed that women and men are totally or insufficiently informed about women's rights as laid down in international legal instruments which seek to establish the equality of women and men in law and in fact on the basis of human rights and through processes of democratisation. To remedy this situation, the Federal Ministry of Labour and Social Affairs has invested much effort in distributing clear and explicit information on such instruments to women and men in government and non-

government agencies, regional authorities and organised representations of economic interests.
Pertinent international comparative studies were translated into German and subsequently circulated.

The main focus of Austrian activities listed according to the Articles of the Convention:

SECTION 2

Re Article 2, par. a)

Under the Austrian legal system, the fundamental equality postulate is enshrined in the principle of equality, which derives from a number of constitutional provisions as well as from regulations laid down in Federal acts and binding on both the legislative and the executive powers. In the period under review, a central theme of public discussion repeatedly concerned the amendment of the constitutional equal treatment regulation to include temporary special measures aimed at accelerating the implementation of de facto equality between men and women as defined in Article 4 of the Convention. These proposals are still awaiting implementation.

However, the Federal Equal Treatment Act, which entered into force on March 1, 1993, contains a clause stipulating the advancement of women, under which proactive efforts are to be made to assure equal opportunities for women. Programmes for the advancement of women are to be drawn up for the entire Federal administration. In accordance with the criteria defined in such programmes, women have to be given priority access to basic and further training courses; both as regards recruitment and advancement they are to be given priority in areas where they are underrepresented provided that they "are not less well qualified than the best qualified male competitor".

Women count as underrepresented if their share in the total number of those permanently employed in a particular service category or of the functions performed by those permanently employed in such a category comes to less than 40% of the total staff employed by the relevant authority.
Already in 1988, the Federal Constitutional Law and the Civil Service Staff Regulations Act were amended to the effect that functions and titles reflected the gender of office holders. This measure was generally welcomed.

Re Article 2, par. b)

With the entry into force of the EEC agreement on January 1, 1994, Austria was fully bound by the EC Directive on the Approximation of the Laws of the Member States Relating to the Application of the Principle of Equal Pay for Men and Women (75/117/EEC) and by the EC Directive on the Implementation of the Principle of Equal Treatment for Men and Women as Regards Access to Employment, Vocational Training and Promotion, and Working Conditions (76/207/EEC).

Re Article 2, par. c)

Under the Equal Treatment Act Relating to Employment Contracts Under Private Law, which became effective on July 1, 1979, cases of discrimination on grounds of sex can be brought before a court or before the Equality Commission. The latter was established to make it easier for blue and white-collar workers to furnish prima facie evidence of their claims and to have such claims dealt with out of court. Although the Commission cannot take enforceable decisions, it can contribute to de facto equal treatment by issuing an expert assessment on the violation of the equal treatment rule in general and by making suggestions to employers in particular. Hence, the Commission acts primarily as a mediator in labour conflicts which come under the Equal Treatment Act. It has to publish its own assessments and the final

verdicts of the court. Subsequent to an amendment of the Act on Federal Ministries, the Equality Commission was transferred from the Federal Ministry of Labour and Social Affairs to the Federal Chancellery; by decision of the Federal President, the Federal Minister for Women's Affairs, who is attached to the Federal Chancellery, was put in charge of the Equality Commission. Apart from the Federal Minister for Women's Affairs who chairs the Commission, or a civil servant who is entrusted with the chairmanship by the Minister, the Commission has to include two members proposed by the Federal Economic Chamber of Austria, two members proposed by the Federal Chamber of Labour, two members proposed by the Confederation of Austrian Industrialists, and two members proposed by the Federation of Austrian Trade Unions as well as one representative each of the Federal Ministry of Labour and Social Affairs and of the Federal Chancellery. The members perform their tasks on an honorary basis. As a rule, meetings are held 12 times a year; conferences can be convened at the request of more than one third of the members or of the ombudswoman for equal treatment issues (or her deputy).

At the beginning of the period under review, the Commission had to deal primarily with cases of discrimination concerning pay. Since the issuing of a ban on sexual harassment at the workplace, such cases have been increasingly brought before the Commission; in 1995, cases of sexual harassment accounted for approximately 65% of the new petitions filed. In these cases, in particular, it was helpful that proceedings differed from those at the labour courts. The right of the ombudswoman for equal treatment issues to attend Commission meetings and to take the floor constitutes an added support to people discriminated against at the workplace.

Between February 1, 1991 and December 31, 1995, 71 petitions were filed. 23 cases were closed with a proposal or a decision (in all 23 cases discrimination was established). In 13 cases, a settlement was reached, and the proceedings concluded with the withdrawal of the petition. In 13 cases, no discrimination could be formally established, and the Commission opted either for "notification of the investigation results" or for a "decision". Five cases were concluded with an official letter, in three cases an expertise was given.

Pursuant to the Federal Equal Treatment Act, the Federal Equality Commission was set up at the Federal Chancellery as of March 1, 1993. One of its tasks is to assess draft laws and statutory regulations which relate directly to matters of equal treatment and the advancement of women in Federal service. Apart from making suggestions concerning the substance of drafts, the Federal Equality Commission has repeatedly urged the equal treatment of women and men in the language of drafts. Moreover, the Commission has the task of giving an expert report on all matters of equal treatment and advancement of women in the Federal service, either upon request or on its own initiative. Since its establishment, a total of 28 applications were dealt with in 24 meetings. Currently, four cases are pending. Two of these petitions were filed by men; all other grievances were submitted either by the women concerned, or by the responsible equal treatment officer or by the chairperson of the working group for equal treatment issues. In three instances the Commission deliberated on sexual harassment; two of these instances were found definitely to constitute sexual harassment. Most **petitions** were filed under the equal treatment rule, and related in particular to matters of advancement and to the allocation of functions which draw higher pay.

Re Article 2, par. f)

With the amendment of the Austrian Names Act in 1995, each spouse can retain his/her original surname. Upon getting married, spouses have to decide which surname their children will adopt. In the absence of such a decision, the children will automatically bear the surname of the father.

Re Article 2, par. g)

In 1993, the Act Amending the Code of Criminal Procedure (BGBl. No. 526) stipulated that the investigating magistrate can, in the interest of the witness (e.g. a woman who is the victim of violence or of a sex

offence) restrict his/her attendance during questioning. It is deemed sufficient for the parties and their representatives to be able to watch the questioning of witnesses on technical equipment for the transmission of sound and image (monitors) and to exercise their right to put questions without being present in the same room when the interrogation is taking place. The same applies to the interrogation at the trial. Both during pre-trial hearings and at the trial the witness is entitled to demand that a person enjoying her confidence be present. The woman may demand exclusion of the public from the trial if her personal circumstances are to be discussed. The court must grant this demand for exclusion of the public "if interests worthy of protection predominate" (this includes a ban on the taking of photographs during the trial). Previously, the Criminal Law Amendment Act of 1987, (BGBl. No. 605) had already stipulated that if a criminal offence of a sexual nature is committed against a person, that person can be relieved of her/his obligation to answer questions concerning the circumstances of her/his intimate life (in particular sex life or previous sex life), but also questions concerning particularly distressful details of the acts constituting the offence. This provision is, however, qualified by the addition "unless this appears necessary in view of the special circumstances of the case". Moreover, victims of sexual offences have since had the privilege to decline to answer questions. The Criminal Law Amendment of 1989 (BGBl. No. 242), changed the provisions of the Criminal Code concerning sexual violence, summing them up under the offences of "rape" and "sexual intercourse enforced by violence or the threat of violence". It was characteristic of this new regulation that in assessing whether rape had been committed, it was no longer the "inability of the victim to resist", that is to say the behaviour of the victim, that was considered decisive, but the (severity) of the violence or the threat of violence offered by the perpetrator. Sexual intercourse was equated with other sexual practices comparable to it, especially in the eyes of the victim. Sexual violence or the threat of sexual violence towards wives, which had previously been categorised in criminal law as intercourse enforced by violence or the threat of violence, was systematically subsumed under the concept of rape. It was stipulated, however, that if the victim is married to or cohabits with the offender, the latter will only be prosecuted on the initiative of the victim; the law

also provided that the interest of the victim in continued cohabitation with the offender should be considered when determining the sentence.

From 1989 to 1993, 2,514 women in Austria were the victims of rape (4% of them were married to or cohabited with the offender). According to experts, the number of unrecorded cases is ten to twenty times higher. In 80% of the cases, the perpetrator and the victim had had a long-term relationship or had become acquainted shortly before. Rapes by unknown men are relatively rare. The rate of acquittals after rapes (34%; two thirds in cases of "sexual intercourse enforced by violence or the threat of violence"), which is relatively high by international standards, has further risen in recent years. Moreover, when a sentence is passed (every third one is a probationary sentence), the full range of punishment is not exhausted. If the panel of judges is composed only of men, the likelihood of acquittal is doubled. "Therapy instead of punishment" is not discussed as an alternative policy in Austria. Criminal prosecution and prison sentences are still seen as the only possible consequences when a criminal offence is committed. However, the public prosecutor is to be empowered to keep a complaint pending for the duration of measures taken to reduce violence in a family or a relationship, when such measures promise success.

Re Article 3

Since the introduction of a separate budget item under the heading "Promotion of Women's Initiatives" in 1991, the Federal Minister for Women's Affairs has been able to dispose of ATS 20.000,000 in 1991, ATS 19.682,000 in 1992, ATS 18.297,000 in 1993, ATS 17.382,000 in 1994, and ATS 21.351,000 in 1995. Since the Commission of the European Union has adopted a "Third Medium-term Action Programme for Equality of Women and Men of the European Community" (1991 - 1995), the basic aims of which are the full and unrestricted participation of women in the labour market and the upgrading of their role in

society, the funds allocated by the Federal Chancellery have been earmarked for the promotion of women-specific activities designed to eliminate discrimination of all kinds in the public and private sectors. Support is given primarily to women-related projects and initiatives which can serve as models for other projects and are thus of supra-regional significance. A large part of the funds is channelled to the advisory centres for women, which have been set up throughout Austria as points of contact for women in critical situations or for women who need support or information with current problems, irrespective of the sphere of life which is affected. In co-operation with the Federal Ministry of Labour and Social Affairs, which is responsible for job and career counselling, the existing service centres for women are given financial and political support and are expanded to the extent permitted by the budget.

In addition, support is given to the following measures:

Measures, including the supply of information (publication of research findings), designed to eliminate any kind of mental and physical violence towards women and children; measures which create conditions or encourage awareness-raising processes, which permit women to have an equal share in socio-political decision-making and which offer girls an opportunity to train for non-traditional occupations; projects in the field of culture and the arts, which clearly demonstrate women-specific problems; multi-cultural activities, which encourage the development of women-specific competence and identity.

The "Advisory Council for Women's Projects" was set up for the purpose of assessing projects with a funding requirement of more than ATS 50,000.- and of giving general advice to the Federal Minister for Women's Affairs. The women who compose the Council are experts or representatives of several Federal Ministries. Another body established to advise the Federal Minister for Women's Affairs is the Advisory Council for Research Projects on Women-specific Issues. The women who compose this Council are experts from the administration as well as academics. The budget for the promotion of research is drawn from

the amounts allocated for the promotion of women-related projects and initiatives.

Other ministries, too, promote women-related projects which fall within their fields of competence; e.g. the Federal Ministries of Labour and Social Affairs, of Environment, Youth and Family, of Education and Cultural Affairs and of Foreign Affairs.

Since in Austria every fifth woman experiences physical violence in a relationship with a man, and every second woman knows of a case of physical violence among her acquaintances and friends, particular attention is given to this issue.

The number of unrecorded cases in this field is very high. It is estimated that every year between 157,000 and 300,000 women are the victims of violence, but only every third woman, who has been severely maltreated, reports the case to the police. There is increased danger in situations of divorce or separation, and also if the woman merely states her wish to be divorced or separated, in other words whenever there is cause for jealousy or fear of loss. According to internal police records, 32,000 cases of women being threatened or assaulted by male family members are reported annually in Austria. 60% of women have been exposed to verbal, emotional and financial violence.

Estimates of sexual violence towards children start with the assumption that every fourth girl and every 10th boy may be affected. In roughly 75% of all cases, the perpetrator is a family member or a relative; only 6% of the perpetrators are totally unknown to the child. Sexual violence towards children is not linked with educational level, social status or social stratum. 98% of the perpetrators are men.

In recent years, the number of refuges for battered women and of emergency flats (places of refuge for women and children threatened by or suffering from violence) has increased. Currently, 19 such facilities are available.

In addition to autonomous refuges for battered women run by women's initiatives, there are homes for battered women and emergency flats run by public and denominational bodies. Women and girls who have been raped or maltreated are given assistance in dealing with the authorities and are counselled on legal and psychological matters by the staff of the emergency phone services.

Already in 1988, representatives of the autonomous Austrian women's refuges had started to organise training courses in the subject "Violence towards Women/Violence in the Family" for police personnel. Meanwhile these training courses have become an established part of the basic training for police personnel. In six Federal Provinces autonomous women's groups (roughly 140 throughout Austria) have taken the initiative in setting up emergency phone services for women. Girls and women who have been raped or maltreated are supported by these services in their contacts with the authorities and are given legal and psychological advice.

In addition, counselling centres have been set up for the victims of sexual child abuse.

Since March 1990, it has been possible to exclude a violent spouse from the marital home for a maximum of three months by obtaining a court injunction. This measure was prompted by a public discussion on the fact that violent men could remain undisturbed in their flats while women and children who had been maltreated had to flee and seek accommodation elsewhere.

At the request of the Federal Chancellor and of the Federal Minister for Women' Issues, the information kit "Counteracting Violence towards

Women and Children" was produced in 1994. Three loose-leaf brochures provide information and instructions for victims of violence and people professionally involved in this problem sector (social workers, police officers, teachers). Abridged versions of the information are available in Serbo-Croat and in Turkish.

The Federal Ministry for the Environment, Youth and Family is going to publish information material for parents ("Letters to Parents") about how to bring up children without using violence. The material is divided into age groups: 0 - 2, 2 - 6, 6 - 10, and 10 - 18.

Since the early nineties, the Federal Minister for Women's Affairs has organised a number of events dealing with violence towards women and has raised public awareness of these problems.

Mention should be made of the study sessions "Against Sexual Violence/Violence Towards Handicapped Women" and the campaign "Violence towards Women", which was run in 1992 and 1993. In addition, a study session was held on "A Life without Violence - a Human Right", during which the study on "Causes and Consequences of Violence towards Women and Children" was presented, and the event "Halt the War against Women", which also focused on the issue of violence, was mounted to mark the International Women's Day. Another two research projects supported by the Federal Minister for Women's Affairs and devoted to the violence issue were "Rape - a Crime without Consequences?" and "The Reporting of Murders and Rapes of Women in Austrian Daily Newspapers".

In March 1992, the lst Austrian Women's Projects Fair, initiated and sponsored by the Federal Minister for Women's Affairs, was held. The objective was to provide "party-related and non-party-related" women's groups with a forum for presenting themselves, for entering into discussions and for establishing networks.
In 1993, a study session on "Women and the Law" was held. This was co-organised by the Minister for Women's Affairs and the Minister of

Justice. Subsequent to this study session, an inter ministerial study group was set up to draft specific law reforms relating inter alia to the issue of violence.

The campaign against violence started in Vienna with the international symposium "Test the West". Gender Democracy and Violence". Within the framework of this symposium four one-day events on different topics were held in the Federal Provinces. The aim of the campaign was to arouse public awareness of the problem and to ensure the necessary statutory sanctions as well as support for the victims. The results of the campaign were published in two volumes of documentation.

In 1993, the Federal Ministry for the Environment, Youth and Family set up the "Platform Against Violence in the Family", with the aim of networking support facilities as well as the professional and occupational groups and the authorities concerned. It was envisaged that the increased exchange of experience would improve the provision of counselling and of basic and further training for the professional and occupational groups concerned and further sensitise public opinion.

The necessary theoretical basis was provided by the studies on the "Sexual Abuse of Children" and "Violence in the Family", published by the Federal Ministry for the Environment, Youth and Family; by research into "Causes and Consequences of Violence towards Women and Children", sponsored by the Federal Chancellor, the Federal Minister for Women's Affairs and the Jubilee Fund of the Austrian National Bank, and by the research project sponsored by the Federal Minister for Women's Affairs on the topic of "Perpetrators and Victims as Reflected in the Administration of Justice" and about the reporting about murders and rapes of women in Austrian daily newspapers. The findings of the study on "Causes and Consequences of Violence towards Women and Children" are to be used in basic and further training courses for different occupational and professional groups.

Further studies were commissioned on "Sexual Abuse and (Sexual) Violence; Preventive Work in Schools", "Sexual Violence towards Handicapped Girls and Women" and on "Sexuality, Fertility,

Violence". The last-named study was specially commissioned for the "Women in Austria" report.

The series of publications issued by the Federal Minister for Women's Affairs includes a "List of Speakers on School Activities Designed to Prevent Violence and Sexual Violence, with Special Reference to the Gender Relationship". This list is, inter alia, available in school libraries.

Within the framework of a model project entitled "Women - Home - Work", residential housing specifically designed to meet women's needs is currently under construction in Vienna. It will contain 380 flats and is the largest project of its type in Europe. A housing project (8 - 11 flats) in Graz also serves as a model for residential buildings designed to satisfy the specific needs of women. The rent contracts for these flats are exclusively concluded with women, even if entire families move in.

Drawing on international experience a project entitled "simply safe outdoors" was carried out in Vienna in 1992. The aim was to work out town-planning criteria and concrete measures for the safe access of women to public areas. Local government activities in the interest of the safety of women are currently being continued with a new project, entitled "Self-assured Women in Vienna".

Re Article 5, par. a)

Although an increasing number of women go out to work, the time devoted to housework has increased over the past decade, since a large part of the additional free time resulting from shorter working hours is used for housework. In all probability, the greater time input results from more exacting demands regarding the cleanliness of the home, a markedly larger surface area for each person living in the household, and the growing number of second domiciles. In 1991, women had 4 hours and 48 minutes free time at their disposal daily (1981: 5 hours and 20 minutes). Within the same period, the leisure time of men went

down from 6 hours and 10 minutes to 5 hours and 32 minutes. The higher the educational qualifications and positions of working women, the more time they spend in their jobs every day. These women devote markedly less time to household work and child care and clearly enjoy more leisure time than women who only completed compulsory schooling.

If the time input is taken into account, work within the family represented an aggregate value of ATS 558 billion in 1993. Roughly three quarters of the free services are rendered by women, although the reform of the Family Law in the seventies created the legal basis for the equal partnership of husband and wife in the family. As a consequence, many women take part-time jobs for family reasons, which frequently results in their not earning enough to ensure a livelihood and in their being inadequately covered by social insurance.

In the period from 1981 to 1992, the proportion of men prepared to do the cooking increased from 6% to 28.5%; nearly 40% of men (1981: 8%) help their wives with the tidying and laundry, 26% (previously 11%) go shopping. However, it is mostly retired men who are willing to give their partners more help with household chores. Even at weekends, the time spent by men on housework and child-minding - mostly by playing with the children, taking them on trips or engaging in other leisure-time activities with them - averages less than half the time spent by women. One third of working men will have nothing to do with housework and child care.

If a child or another family member living in the same household falls ill, wage earners and salaried employees are entitled to leave from work to care for them. This leave is granted for one week per annum without reduction of pay. 6% of employed males and 8% of employed females (19% of the mothers but only 12% of the fathers) make use of this possibility. Leave is also granted if the person who normally looks after the child or if the father who has taken parental leave to care for the child are prevented from doing so. Moreover, if a child below the age of 12 living in the same household falls ill again during the same working year, either the father or the mother is entitled to one week's leave without reduction of pay, provided he/she is not entitled to similar

payment under other statutory provisions, collective agreements or employment contracts. If the entitlement to leave without reduction of pay expires, leave of absence can be taken to take care of a child below the age of twelve without the employer's consent having to be obtained beforehand. The Minister for Women's Affairs and the trade unions have demanded an extension of leave for the care of children to include cases where a child under 3 years old has to be hospitalised, but their demand has not yet been met.

From statistical data it is evident that 80% of men and 61% of women in the over 60 age group rely primarily on their families in cases of illness. 70% of all care is given by wives and daughters (daughters-in-law). The Federal Act governing Attendance Allowances, which became effective on July 1, 1993, stipulates that individuals over the age of three, who because of a physical, mental or psychological handicap will, in all probability, require constant care and help for at least half a year, are entitled to the attendance allowance. The amount paid depends on the severity of the handicap, but is not influenced by the cause of the handicap or the income of the person concerned.

Re Article 6:

Prostitutes have to pay taxes, but prostitution is not a registered trade. As a result, prostitutes have not been granted entitlement to social security benefits normally linked with the registration of a trade. They have to rely on self-insurance. With regard to health insurance this means that the costs of medical treatment will be paid only after a six-month period of cover.

In 1993, 676 female prostitutes were registered in Vienna. The number of illegal prostitutes in Vienna is estimated at at least 2,000, most of whom are illegal migrants. Experts assume that each prostitute has two to three customers a day.

Austria is committed to the principles and objectives laid down in the Charter of the United Nations and co-operates with other countries to find solutions to the economic, social and humanitarian problems underlying prostitution and traffic in women and to promote and strengthen respect for human rights and fundamental freedoms for all, irrespective of race, sex, language or religion. In order to suppress traffic in women and similar forms of exploitation, it is considered as important to take appropriate measures under the alien law and to develop programmes for the protection of witnesses as it is to upgrade the status of women in the countries of origin and to bring about general economic stability in the Third World. Therefore, Austria's three-year programme for development co-operation (1995 to 1997) provides that women should be enabled to share in and to benefit from the economic, social and societal developments in their countries on a basis of equality and self-determination. Special support programmes should be developed for women from the poorer social strata especially in rural areas, but also in the city slums. Within the framework of projects designed for the entire population, women should be considered as a target group in its own right.

Re Article 2, par. a)

Whereas in 1969, 53% of women still expressed a lack of interest in politics, the number had dropped to 28% in 1985 and to 18% in 1990. Within the same period, the number of politically active women, who, however, have a smaller share in active party work than men, increased from 11% to 16%.

In the "non-conventional" sphere (e.g. popular initiatives) gender-specific differences are negligible.

The rising educational level of women and their growing occupational commitments have favoured the trend towards autonomous voting behaviour. Since the sixties, women have become less and less inclined to adopt the political preferences of their husbands. According to opinion polls, the voting behaviour of women has "radically changed" from 1992 onwards. Women have become more independent in their

decision-making and are more often guided by substantive criteria than men.

In the past ten years, two new political parties were founded. The Grüne Alternative Liste (GAL - the Green party) was the first party whose parliamentary faction was chaired by a woman (as of 1986). After the foundation of the "Liberales Forum" ("LF", 1993), another woman chaired a parliamentary faction and, for the first time, a party was headed by a woman. In 1994, the federal spokesperson of the Green party attained a similar position.

Two of the five parties represented in Parliament (the Social Democrats since 1985 and the Green party since 1989) have quotas for women anchored in their statutes. In 1993, the Social Democrats increased the original quota of 25% to 40% on all candidates' lists. A time frame of ten years was set for the implementation of this rule.

A quota of "at least 50% women" for all elected functions has been embodied in the statutes of the Green party, since 1989. The rule was implemented on the "zip principle", which was abandoned, however, in 1994. If the first place on a new list of candidates is now filled by a woman, the next place need no longer automatically be reserved for a man.

At its last party conference (1995) the Österreichische Volkspartei (Christian Social party) adopted a policy statement which pledged it to a 1/3 quota.

The new regulations governing national elections were applied for the first time in 1994. The introduction of regional constituencies with their own lists, and the possibility of casting preference votes for candidates on the regional and Provincial party lists, added a personality-related dimension to the still valid list-system of voting.

Since 1983, the proportion of women on the lists of candidates for the national elections has been continuously increasing (1983: 15%;

1990: 28%; 1994: 39%). In 1994, the Green party had the highest proportion of women on its candidates' lists (41%); it was followed by the Social Democrats (36%), the Liberal Forum (31%), the Volkspartei (30%), and the Freiheitliche Partei (Freedomites - 18%). The higher proportion of women on the parties' lists of candidates does not necessarily mean that there will be a higher proportion of female MPs, because women are frequently listed in places where their chances of being elected are uncertain or nil.

Overall, the proportion of women in the Lower House doubled between 1986 and 1994. Whereas in the legislative period from 1983 - 1986, the number of women in the Lower House never exceeded 20 out of 183 MPs, it rose to 43 in the legislative period from 1990 - 1994. A woman was appointed Third President of the Lower House. The positions of the three Presidents of the Lower House are among the most important in the Republic. The total proportion of women in the Upper House has increased to 25%.

Whereas in the legislative period from 1983 - 1986, the proportion of women among cabinet members was 13.6, it increased at a regular rate, reaching an all-time high (30%) after the government reshuffle in May 1995. Four out of 16 ministers and two out of four state secretaries were women. The State Secretariat for General Concerns of Women, set up in 1979, was upgraded during the government reshuffle in 1990. A Federal Minister for Women's Affairs attached to the Federal Chancellery was appointed and put in charge of co-ordinating women-related policies.

At the Provincial level, changes as regards the political presence of women have been minimal. Vienna still has the highest proportion of women. 31% of the deputies in the Vienna Provincial Parliament are women (1984: 19%). In the Provincial parliaments of the other Federal Provinces the proportion of women varies between 8% (Burgenland) and 25% (Salzburg).
Carinthia has the highest percentage of women in the Provincial government (29%), followed by Vienna (27%) and the Tyrol (25%). Whereas in 1984, seven of the nine Federal Provinces had all-male

governments, there is currently only one Province (Salzburg) whose government does not include a single woman.

In small communities (up to 5,000 inhabitants) the proportion of women on the local councils is on average close to 8%. Experience has shown that women have better chances of getting seats on councils in towns. In recent years, women have, for the first time, run on separate lists in local elections (e.g. in Salzburg). The proportion of women among Austrian mayors is 0.85%. In absolute terms this means that of 2,333 Austrian mayors 20 are women.

There are no mayoresses in the Federal Provinces of Salzburg and Upper Austria.

Re Article 7, par. b)

Since the late eighties, sections and agencies representing women's interests have been set up in all the Austrian Provinces and in some of the major towns. At the beginning of 1995, 15 such sections and/or agencies were operational throughout Austria. Many of them, however, have been given insufficient competence (e.g. inspection of records, right to be heard, right of veto). The women's sections are integrated into the administration of the Provinces and local governments in different ways. Usually no new sections were set up to deal exclusively with Women's Affairs: instead existing sections for family, youth, health and social affairs were expanded to accommodate "Women's Affairs". Only in Vienna was a special municipal department created for the advancement of women and for the co-ordination of matters relating to women. The (non-party) Federal forum for women-related policies was set up in 1991 to effect an exchange of information and experience and to serve the development of joint strategies. It consists of the Federal Minister for Women's Affairs, the women's representatives of the Provincial governments and municipal administrations, and the Provincial and local government politicians in charge of women's concerns.

The ombuds office to which everybody with a personal complaint about alleged shortcomings in the Federal administration may turn if there is no legal remedy or if all such remedies have been exhausted, is staffed by three ombuds officers, one of whom is a woman.

Studies have demonstrated that even in public service where men and women enjoy formal equality, the two sexes do not have equal opportunities. The "Programme for the Advancement of Women in the Federal Service" (adopted by the Council of Ministers on November 10, 1981) already stressed the function of the Federal state as model employer in proactively promoting the equality of women in the world of work. The scientific evaluation of the programme (for the period from 1981 to 1988) demonstrated that the proportion of women in the civil service increased markedly from 22.7% in 1980 to 37.05% in 1988. Currently, nearly two thirds of female wage and salary earners (63%) are office clerks or civil servants. Only 47% of male wage and salary earners hold similar positions. Whereas in 1981, working women were represented equally in the private sector (39,9%) and in the public sector (39.8%), women working for the private sector today account for 41.3% and those employed in the civil service for 42.4%. However, only 25% of all civil servants holding tenured posts are women.

The radical change which has taken place in the educational level of women in recent years is as yet insufficiently reflected by their presence in the higher service categories (university graduates and those qualifying for university entrance), although the proportion of women in the service category A/a (university graduates) has almost doubled since 1980. In response to this situation, the programme for the advancement of women was expanded and translated into a pertinent statutory regulation. The equal treatment clause laid down in the Federal Equal Treatment Act corresponds to the clause formulated for the private sector. Moreover, the Act includes a clause for the advancement of women which sets out that the equality of women is to be actively promoted, and it contains the following provisions: the equal treatment of women and men under employment or traineeship contracts with Federal authorities and agencies or seeking such

contracts; temporary affirmative action programmes for the advancement of women, in order to establish the professional and occupational equality of women and men; a ban on direct or indirect discrimination on grounds of sex; the assessment of sexual harassment as an act of discrimination; the fixing of a single compensation payment in cases of discrimination in the hiring process, or in the allocation of a function, or in fixing remuneration, or in cases of sexual harassment; the establishment of a Federal Equality Commission; the setting up of study groups to deal with equality issues and the nomination of equality officers and contact women; the standardisation of the tasks of the respective organisations and of their appointment procedures and modus operandi.

The Federal Equal Treatment Act was the first Austrian law to use both the male and the female form (e.g. of applicant).
The Act on the Notification of Vacancies of 1989 stipulates that whenever the proportion of women in a given service category of a ministry is below 50%, notifications should indicate that women applicants are particularly welcome.

Under the Federal Equal Treatment Act, the Federal government has to submit a comprehensive report on the implementation of equal treatment and the advancement of women in the civil service (Equal Treatment Report) on October 1, 1996. The report has to contain anonymised data on the activities of the Federal Equality Commission, in particular on its proceedings, broken down by ministry, as well as recommendations for the implementation of equal treatment in the civil service.

In 1991, the programme for the advancement of women destined for the Federal Province of Salzburg was adopted.
During the period under review Equal Treatment Acts were passed in the Provinces of Carinthia (1994) and Upper Austria (1995).

In the judiciary sector women are represented on the elected personnel senates, on the bodies of the association of Austrian judges and on the Federal section of judges and public prosecutors in the Trade Union of

Public Employees. However, less than one third of all judges, less than one fifth of all public prosecutors and less than one sixth of all judges and public prosecutors in leading positions are women, although the first women judges were nominated in Austria as early as 1947. Only one tenth of the elected members of personnel senates are women, although these senates, which are independent commissions, exert a decisive influence on the career development of judges. In 1994, the first woman judge was appointed to the Constitutional Court.

Re Article 7, para. c)

In 1994, the Federal Chamber of Labour, the statutory body representing the interests of blue and white-collar workers, elected its first woman president. Special women's departments were set up in the Chambers of Labour in Lower Austria, Salzburg, the Tyrol and Vienna. 110 (13%) out of 840 chamber councillors are women.

In the Economic Chambers, the statutory bodies representing the interests of the self-employed, study groups on "Women in the Business Community" have been set up in all the Federal Provinces. 56 (6%) out of 932 chamber councillors are women, as are 1,205 (10.4%) out of 11,638 chamber officials.

The Austrian Trade Union Federation, which comprises 14 single-industry unions, covers the entire Federal territory. The work of the Federation is governed by statutes which are binding on all trade union bodies and which stipulate that three delegates from the women's department of the Federation must sit on the National Executive Committee and that one of the six vice-presidents must be a woman. In autumn 1992, the women's department of the Federation submitted a document on the reform of the Federation which provides for the active advancement of women as trade union officers and full-time trade union employees. In 1993, the project group "Equal Opportunities" was set up. It considered the reasons for the low attendance of women at

educational events in the past and launched a discussion on possible ways of attracting more women officials. From 1980 to 1993, the proportion of women among trade union members rose by 3.8%. Whereas in 1980, 418,662 (27.5%) of the 1.520,000 members were women, in 1993 they accounted for 506,061 (31.3%) of 1.616,016 members.

Compared with their proportion of total membership (almost one third), women are underrepresented in works councils. Of a total of 42,450 shop stewards, who are the foundation of the decision making structure of trade unions, no more than 9,977 (23.8%) are women. The proportion of female delegates to the National Congress increased from 10% in 1983 to almost 15% in 1991.

An Austrian National Committee was set up for the 1995 World Conference on Women. The Committee organised a variety of activities and events on themes related to women in all the Austrian Provinces in order to increase awareness of these issues and to shape public opinion.

The Austrian department for development co-operation, which has no agency of its own, uses NGOs and business firms for the implementation of its projects. In January 1994, the first gender training seminar was held with project managers from NGOs, firms and the public administration; further events are being planned.

Re Article 8

The proportion of women in leading positions in the diplomatic service is still small. However, the Federal Ministry for Foreign Affairs is seeking to encourage women to take entry exams for the higher echelons of the diplomatic service. Whereas in 1980, of 72 ambassadors and 19 heads of mission in each case only one was a woman, in 1993, the figures had changed to three ambassadresses and three female

heads of mission as opposed to 72 ambassadors and 26 male heads of mission. This is due to the persistently small proportion of women in service categories whose members are eligible for leading positions.

When Austria joined the EU, a comprehensive political discussion was launched on draft directives of the Commission which had a strong bearing on women-related policies, although many of the proposals they contained came up against the limiting factor of what could be carried through in the EU Council of Ministers. They included such important matters as the shift in the burden of proof in court, the elimination of some extant exemptions from the equality principle in the social security system, measures safeguarding atypical work patterns and the introduction throughout the EU of parental leave and leave from work for taking care of family members. Since, in other EU countries, women are also over proportionally represented and discriminated against in insecure jobs, in lower grades and in the low-wage sectors, the Federal Minister for Women's Affairs is seeking to give women a say in all bodies (including the Administrative Council of the Labour Market Service) in which decisions are taken on advancement programmes within the framework of the EU structural fund, because one of the fund's central objectives is the promotion of the equality of sexes.

The following demands are to be put to the Inter-Governmental Conference in 1996:

- Expansion of EU competence in equality matters. So far the EU competence has been restricted to labour market matters.
- Convening of a EU-Council of Ministers on equality issues.
- Inclusion of a general equal treatment principle in the EC Treaty, in particular in the principles set forth in Articles 2 and 3
- Extension of the equality principle (Art. 119a) at the level of primary law to include access to employment, vocational training and open-ended careers as well as working conditions.
- Establishing positive discrimination for the improvement of the occupational and professional status of women in the EC Treaty (in response to the Kalanke ruling of the European Court of Justice).

Re Article 9

An amendment of the Nationality Law in 1983 had established the right of married women(and not only married men) to pass on their nationality to their children . At the same time the conditions for acquiring Austrian nationality were harmonised for women and men.

Re Article 10, par. a)

Although in the seventies girls and women made up for a great deal of lost ground, the educational level of the resident male population from 15 upwards is still higher.

50.6% of the Austrian female population have received no education beyond compulsory school. The percentage has dropped by 11% since 1981, but is still almost 20% above that of the male population. Since, according to the OECD, Austria ranks second among the industrialised countries with regard to the educational discrimination of women, there is urgent need for action, since the educational level influences the risk of losing one's job, career prospects and income.

Although more girls than boys go on to further education on completion of compulsory schooling, they leave the educational system at an earlier age. (At the age of 16, every eighth young woman but only every thirteenth young man has completed her/his training. 25% of women between 20 and 25, but less than 20% of men in the same age group have failed to complete further education courses after finishing compulsory school. Only 36% of the girls, as compared with 58% of the boys, enter apprenticeships. The total number of apprentices has been declining since the eighties. Girls and boys entering apprenticeships have a choice of over 200 apprentice able trades. 83% of female apprentices (86% in 1982/83) are currently concentrated in three fields of training: trade and transport, beauty care and catering

and food processing. According to apprentice statistics, at the end of 1993 30% of female apprentices were training to become retail shop assistants, 15% hairdressers and wigmakers and 14% office clerks. 60% of the male apprentices were training for 13 different trades. Despite the declining overall number of apprentices, the number of female apprentices has increased in occupations with a low proportion of women. The campaign "Daughters are Capable of More than you Think", launched in 1984 by the then State Secretariat for General Concerns of Women in co-operation with the Ministries of Education, of Research and of Social Affairs, has been continued. The objective of the campaign was and still is to get rid of the two-tier labour market and to encourage girls to choose careers and courses of study other than the "typically female" ones, in order to improve their prospects in the world of work and to abolish role stereotypes.

The Labour Market Authority subsidises apprenticeships for girls in occupations with a low proportion of women (in which the proportion of female apprentices is smaller than 40%). This means that almost 150 apprentice able trades qualify for subsidies. In the course of the eighties, several contact and counselling centres for girls and women were set up on the initiative of women and very often with the support of the Labour Market Authority. The principal concern of these centres is to provide career counselling for girls and to inform girls about training possibilities other than the usual ones. They co-operate with the Austrian schools and offer career guidance courses, weekend workshops and summer workshops (e.g. "Matadora", "Amandas Matz" and "Sprungbrett" in Vienna, "Mafalda" in Graz, "Kassandra" in Mödling, "Fragile" in Linz, "B.A.B.S.I." in Freistadt and Traun). Some of the centres cater especially for unemployed and/or foreign girls.

Since the curricular reform of 1979, girls and boys receive the same instruction in all subjects taught at primary schools, including handicrafts (technical/textile). In 1987, the compulsory subject "domestic science" was opened to boys at general secondary schools. In 1993, the differentiation of handicraft teaching according to gender

(textile handicrafts for girls; technical handicrafts for boys) was abolished. Irrespective of their sex, pupils can now opt for textile or technical handicrafts also in the 5th and 6th grades (previously only in the 7th and 9th grades). In practice, however, the choice is based on traditional criteria.

In Vorarlberg - and only in Vorarlberg - girls who neither entered apprenticeships nor went in for further education had to attend a two-year vocational course for domestic science occupations. In 1994, the Constitutional Court ruled that this constituted an infringement of the principle of equality and was consequently unconstitutional.

In the second half of the eighties, the fact that all types of schools are open to both sexes was stressed by the elimination of gender-specific school names.

The concentration of girls in commercial schools and schools for domestic science occupations (60% of girls attending medium-level secondary technical and vocational colleges) has hardly decreased since the school year 1983/84.

The proportion of women and men who have taken matriculation exams at academic secondary schools is practically the same. The proportion of women who have taken matriculation exams at higher-level secondary technical and vocational colleges is roughly 40%.
At the higher technical and trade colleges and at the commercial colleges for employed persons the number of students has doubled over the past ten years; the percentage of women has risen from roughly 20% to 27%. The percentage shares of women are almost negligible in colleges for electrical engineering, electronics and mechanical engineering as well as in the colleges for agricultural and forestry technology.

In recent years, approximately 70% of the students who have taken their matriculation examinations have regularly entered universities or colleges. In the past ten years, the number of female students has again increased more strongly than that of male students and currently amounts to 45%. The proportion of women among university entrants has increased to 51.4%. Among university graduates (42.4%), however, the proportion of women is markedly lower. The tendency towards a typically "female" or "male" course of studies is reinforced by previous education at higher-level schools. In the technical fields of study (including mining) women continue to play a marginal role. More than one quarter of male university entrants enrol for technical courses; ten years ago, women accounted for one sixth of the enrolment figure, a proportion which has meanwhile increased to one fifth. Compared with other technical unversities, the University for Soil Cultivation has a high proportion of women graduates. This applies in particular to the courses in food technology and biotechnology (51.3%) and in landscape planning and landscape care (42.2%). The proportion of women is lowest among the graduates from the Mining University in Leoben (1991/92: 8.5%) and from the university departments for mechanical engineering (1991/92: 2%), electrical engineering (1991/2: 1.1%) and civil engineering (1991/92: 3.1%). The teacher training colleges, the colleges for social workers and the training courses for advanced medico-technical services are female domains, in which, for the past ten years, women have accounted for a steady 75%.

Almost every fifth female university entrant, but only every eighth male drops out after the first year of study. The success rate of female students (40%) is lower by eight percentage points than that of male students (48%). The reasons for this are said to be the male-oriented requirements of universities.

There are still substantial gender-specific differences between the percentages of university graduates. The percentage of female university graduates (2.6%) is only half that of men (5.5%), even though the growth rate for women is double that for men. If one adds the students taking university-related courses (e.g. at teacher training colleges) the resulting augmented rate for university graduates is 4.2% for women and 6.2% for men.

Teaching is considered to be a typically female profession. 60% of teachers are women. However, the percentage of women on the teaching staff varies according to the individual fields of education. At primary and special schools, at higher-level teacher training institutions and colleges for domestic science, clothing and arts and crafts, 80% of the teaching staff are female. At general and academic secondary schools, women account for 60% of the staff, at teacher training colleges for 40% and at universities and art colleges for less than 5%. At universities and schools with university status, the percentage of female junior lecturers has risen from 19% to 24% in the past ten years. Among full professors, women account for less than 3%. In primary schools the share of women in leading positions has grown from 36% to 48% in the past ten years, in special schools from 30% to 41% and in commercial schools from 11% to 19%.

Female district school inspectors (11.5%) and female Federal Province school inspectors (22%) are even scarcer.

Teacher Training Colleges which prepare predominantly women for their tasks as compulsory school teachers are headed exclusively by men. At universities no more than 6%, at art colleges no more than 16% of the leading positions are held by women.

Under the University and Art Colleges Organisation Act study groups on equality issues were set up at all universities and schools with university status for the purpose of advancing women and of counteracting discrimination on grounds of sex. Further, it was stipulated that the Federal Minister of Science and Research as well as the collegiate bodies of the universities seek to balance the number of female and male university staff by way of affirmative action programmes for women. The study groups have the right to propose motions to the Federal Equality Commission.

In the past five years, grants have been earmarked for dissertations and habilitations with the intent of motivating women to embark on academic careers.

In 1993, inter-university co-ordination centres for research into and studies relating to Women's Affairs were set up in Vienna, Graz and Linz (financed by the Federal Ministry of Science and Research and by the universities and schools of university status involved).

In order to increase the number of lectures on topics relating to women, a special quota for teaching assignments in the field of research into Women's Affairs was introduced in 1982. This quota was raised to 200 hours per week in 1990.

Only one Austrian university (the University of Innsbruck) has a chair for Women's Affairs. Since 1993, the Federal Minister for Women's Affairs has financed a guest professorship for "Gender-Relation Policies" (University of Vienna); a five-year professorship for Women's Affairs has been established at the University of Graz.

Re Article 10, par. b) and par. c)

Since its introduction (abolition of gender separation at state schools in 1975), co-education has been uncontested in Austria as an essential prerequisite for the equality of the sexes and has, therefore, not been the subject of detailed study for a number of years. 96% of all schools providing compulsory academic education had become co-educational in the school year 1982/83, and practically all schools by the end of the period under review. Technical and vocational schools, on the other hand, are characterised by a certain gender-specific differentiation. Recent research (especially in Germany, but also in Austria) has produced findings to the effect that co-education may, in some circumstances, help to reinforce gender stereotypes and gender-specific division of labour. For example, it was found that young women who have attended girls' schools tend to opt for courses of study in mathematics, the natural sciences and engineering, whereas young men

who have attended boys academic secondary schools tend to choose linguistic-literary studies and the social sciences. "Guidelines for the elimination of role stereotypes from school textbooks" and for a more realistic depiction of women and men had been formulated already 15 years ago. However, these guidelines were no more than recommendations and are only partly reflected in textbooks (the masculine form of words is used throughout in textbooks, which means that women are merely "implied").

In the curricula reference is increasingly made to the situation of girls and women in the different social spheres. In order to support the efforts of the Federal Ministry of Education and Cultural Affairs to encourage behaviour guided by a sense of partnership as well as to further the equality of the sexes in the field of education, "education for equality of women and men" was introduced as an integral principle of education in 1994 and 1995. This can be considered a temporary special measure in accordance with Article 4 of the Convention. Starting in primary schools, teachers are called upon to integrate this educational task into cross-subject teaching. This integral principle of education is also expressly mentioned in the chapter on didactic principles included in the curricula of vocational schools. To facilitate its implementation, teachers are offered information material and in-service training courses.

Since 1990, an "information leaflet on school education and equality" has been supplied to all schools, school inspectors and teacher training and in-service training institutions. Besides observations on gender-specific issues related to the school system the leaflet contains information on studies, brochures, events and points of contact. The Federal Ministry of Education and Cultural Affairs has commissioned a number of studies in order to identify the extent to which curricula, school textbooks and interactive structures in the classroom generate different mind-sets in girls and boys. Studies monitoring school projects are to lead schools to "conscious" co-education and to motivate them ("New Learning Culture" campaign) to further develop the system of co-education. This could be achieved, for example, by addressing gender differences in the classroom or by appointing liaison teachers for girls and boys. Teachers are to be increasingly sensitised to the issue of

co-education by means of in-service courses and/or information material.

A problem which, to a different extent, affects male and female pupils, but also male and female teachers is violence at schools, which is or seems to be on the increase. Beyond sensitising teachers by supplying them with information, the Ministry of Education and Cultural Affairs promotes specific school activities for the prevention of violence, most of which are currently carried out with the assistance of associations.

Other priorities in the equality promotion work of the Federal Ministry of Education and Cultural Affairs are "career guidance" and "girls and technology" drives. Here the emphasis is on information and awareness raising as well as on the promotion of associations and initiatives offering advice and assistance to girls in order to counteract one-sided career choice prompted by socialisation patterns. Moreover, study sessions were organised (partly in co-operation with the Federal Minister for Women's Affairs), back-up material for career guidance was published and information and counselling services were provided at university study and career information fairs. In order to increase the number of female students at higher-level technical schools, technology-sampling courses were offered to girls. These courses are to be organised more frequently in future. The study on "girls at higher-level technical schools" provides the basis for measures designed to increase the enrolment of girls and to improve the situation of girls at such schools.

Two divisions in the Federal Ministry of Education and Cultural Affairs deal primarily with women-specific issues. The division concerned with the education of girls and women and with gender-specific issues in the classroom was set up in 1989.
The division concerned with the equal treatment of women and men and with the advancement of women in Federal employment has been in existence since 1993.
The inter-ministerial study group dealing with women-specific issues in the field of education, which was set up by a decision of the Council of

Ministers in 1980, has now become the responsibility of a special division subordinate to the Minister for Women's Affairs.

Re Article 10, par. e)

In second-chance education with its predominantly technical orientation women are clearly underrepresented. More than five times as many men as women enrol for second-chance education which is primarily offered in the field of vocational training. The proportion of women is as low as 19% so that measures must be taken to make second-chance vocational courses more attractive for women and thus to increase and expand their qualifications.
The percentage of women who register for examinations which give access to university studies is 43%.

Re Article 10, par. f)

Although girls often perform well at school, their drop-out rate is higher than that of boys, and they are more reluctant to go in for second-chance education. Their proportion in the so-called "risk groups" in school education, e.g. special school pupils, is low and they outperform boys at almost all types of school, even in those where they are in the minority (e.g. higher-level technical schools). Irrespective of the type of higher school they attend, the success rate of girls who take matriculation examinations is higher than that of boys. On the other hand, the proportion of girls who reach the upper secondary level but fail to acquire high-grade qualifications is much higher than that of boys, which means that talents and potential skills remain undeveloped. The influence of gender-specific factors is evidenced by drop-out studies which reveal that unsatisfactory scholastic achievement is not the reason for the drop-out of a considerable proportion of girls. A study has now been commissioned to clarify this phenomenon which is mainly found in traditional "girls' schools".

Re Article 10, par. h)

Sex education is considered to be part of health promotion and as such an important element of school lessons. An interdisciplinary approach has been chosen which is backed up by a number of measures. Sex education is included as an integral educational principle in the curricula of academic and vocational compulsory schools and of several medium-level and higher-level technical and vocational colleges. For the implementation of this principle in day-to-day teaching, different subjects must be co-ordinated and the connections between them exploited, extra mural experts must be involved and suitable, additional teaching aids used (e.g. audio-visual material and literature). Project-oriented lessons and project work are best suited for the purpose.
In the interest of preventive gynaecological care and of giving more scope to relevant subjects in the classroom, the Austrian Chamber of Physicians will run an information drive in schools with the agreement of the Federal Ministry of Education and Cultural Affairs. For this purpose a youth magazine entitled "GYNNIE" was launched, in which questions and problems of young people as regards preventive gynaecological care as well as sexuality and relationships are dealt with in a comprehensible manner appropriate to the target group.
The concept of planned parenthood has become widely accepted by all social classes and is being put into practice. Although a whole range of different contraceptive methods are currently available for women and a few also for men, and although people are relatively well informed about contraception, it appears that ultimately contraception is the responsibility of women. Only 10% of men use condoms. In the majority of cases the first child is not planned or arrives too soon. In retrospect it is estimated that every fourth child is unplanned, that every third is, in principle, welcome but arrives too soon and in a few cases too late. Wish corresponds with reality in less than half (46%) of the cases. The prevailing law permits the termination of pregnancy in accordance with the first-trimester rule at any hospital. Experience shows, however, that not all public hospitals have provisions for abortions and that there is a marked difference between the eastern and western parts of the country.

Re Article 11, paragraph 1, subparagraph a)

For relevant data on gainful employment see Table 1 of the Annex. Nearly one third of the country's working women do not hold full-time jobs, but are part-timers or in minimal employment. Highly qualified women normally cannot work part-time; they have to adjust their arrangements for child care to the demands made by full-time gainful employment.

Although part-time work perpetuates the sex-stereotyped division of labour within families, many of the problems resulting from rigid time patterns can be lessened thanks to flexitime, which helps individuals to reconcile more easily job responsibilities with family duties. Of the total number of women in dependent employment, a mere 16 % benefit from flexitime, with salaried employees constituting the majority. Only 6 % of female wage earners work flexitime. With the introduction of new technologies, flexible working hours are becoming more widespread.

The proportion of women working at weekends (12.6 %) is virtually the same as that of men (13 %). 15 % of all economically active women work on Saturday mornings, especially in retailing, as against a mere 6 % of men. In shift, swing shift and rota work, the share of women is 9 %, and that of men 15 %. Whereas the proportion of men doing shift work has remained fairly stable over the years that of women is on the increase.

Gainful employment of women remains concentrated on a few types of occupations; the percentage of women is still highest in the category office and service occupations and in the commercial and cleaning sectors. However, women are now becoming more strongly represented in atypical occupations.

In 1990, the largest number of women (i.e. nearly 300,000) belonged to the category "miscellaneous office and administrative occupations", and the second largest number (nearly 200,000) to the category "retailing, purchasing and sales personnel", thus making up one third of all women in gainful employment. In 1990, women accounted for more

than 90 % of the gainfully employed in the vocational category "chimney sweeps and building cleaning staff" and made up over 80 % of the categories "dry cleaning, laundry and dyeing personnel", "clothing manufacturers and other textile workers" and of "hairdressers, beauty specialists and related jobs". On the other hand, the share of women in the technical occupations is a mere 12 %. As compared with 1981, hardly any changes have occurred in their percentages, with the exception of technical occupations in which only 6 % of women were employed at that time.

In 1991, only 5.5 % of the Austrian labour force worked in the primary sectors (agriculture and forestry) with women accounting for 41 % as against 47 % in 1981. Roughly 35.5. % of the active population are employed by the secondary sector (large-scale industry as well as medium and small-sized manufacturing industries). The share of women has declined from 26 % to 25 %. The tertiary sector (services) currently employs 60 % of all Austrian wage and salary earners. In the past decade, the proportion of women increased from 50.5 % to 52 %.

In the decade from 1981 to 1991, the proportion of self-employed individuals declined by 12 %, that of assisting family members by as much as 31 %.

In 1992, out of 1,532,200 working women, 124,000 or 8.9 % were self-employed, which compares with 11.6 % of the male labour force totalling 2,147,000 individuals.

Freelancers make up 1.4 % of the active population in Austria. Approximately 30 % are women. In the category of occupations with mandatory membership in the "Chambers" the percentage of women is highest in the category of self-employed pharmacists (43%), followed by doctors and certified public accountants, where women make up roughly 22 %.

One of the causes of the low income levels of women as compared with men is the higher proportion of women who completed compulsory schooling but no apprenticeship (29 % women as against 18 % men).

Male skilled workers earned nearly 40 % more than their female colleagues, although they did the same type of work and had the same educational background. In most salaried jobs, the incomes of men surpassed those of women by one fifth; in managerial positions the income differential was more than one third; in the civil service (excluding part-time teachers) men holding high or highest-skill jobs or managerial positions earned 19 % or 12 % respectively more than their female colleagues. However, female civil servants find roughly 9 % more money in their pay-packets than males. This situation can be explained by the extremely high proportion of low-paid male police officers and the large proportion of female teachers who, because of their high qualifications, are well-paid.

In 1993, the monthly median gross income of wage and salary earners amounted to ATS 21,700, including special premiums; if the 13th and 14th salary per year are not taken into account, the median monthly income amounted to ATS 18,600. The incomes of female wage and salary earners are nearly 30 % lower than those of men. Computed on the basis of median annual income, in 1993 women earned about ATS 88,000 less a year than men.

In 1993, the income of 7.5 % of all wage earners and salaried employees (excluding civil servants) surpassed the maximum contribution level of social insurance (which stands at ATS 33,600). Men in the upper income brackets accounted for 11.2 %, which compares with a mere 2.7 % for women.

In the period from 1980 to 1993, median gross incomes of female wage earners and salaried employees rose by 91 % in nominal terms, which corresponds to an increase by 12 percentage points above those of men. Within this period, the median income of female wage earners climbed by 86 % as against 75 % of that of men, and the median income of female salaried employees went up by 90 % as against 84 % of that of men.

In 1993, the net incomes of 10 % of all Austrian wage and salary earners working 40 hours a week fell short of the ATS 8,500 mark. Every 6th female, but only every 19th male wage or salary earner

belongs to this lowest income bracket. A breakdown by occupations reveals the following pattern: in the lowest income bracket we find 33 % of unskilled female workers outside agriculture and forestry; 29 % of skilled female workers; and every sixth female semi-skilled worker. As regards the category of salaried female employees, on an average, every eighth woman earned less than ATS 8,500. Only every 19th woman, but every 8th man managed to rise to the top ten per cent of the income scale. More than every fourth male, but only every 15th female salaried employee; every 7th male and every 13th female civil servant had incomes of more than ATS 23,800.

A breakdown of the lowest income bracket by educational background presents the following picture: in 1993, 29 % of women and 13 % of men who had no further education beyond compulsory schooling, and 18 % of women and 4 % of men who had completed apprenticeships earned less than ATS 8,500 net. Roughly every 10th woman who completed a middle-level vocational or a higher-level secondary academic school belongs to the lowest income group The top ten per cent of incomes exceeding ATS 23,800 are earned by 43 % male university graduates, by 31 % of male graduates of higher-level secondary technical or vocational colleges, and by 27 % of male graduates of higher-level secondary academic schools. Only 18 % of female university graduates rank among the top earners, a share which is identical with that of men who completed medium-level secondary vocational education.

Given the low percentage of female university graduates and owing to gender-specific job segmentation, the gap between male and female incomes is roughly 50 %.

As regards the second largest group, self-employed women running small and medium-sized industrial and craft enterprises, 47 % of the women as against 40 % of men pay no taxes, because their incomes are "negative" or so low that they are exempted from tax. In 1991, the median income of women primarily engaged in small-scale industrial or crafts activities was ATS 173,000 annually as against that of men, which came to ATS 242,000 a year, excluding tax exempted individuals. Accordingly, women earn approximately 70 % - 77 % of

the sums men earn. Taking into account tax-exempted individuals, the income gap between men and women widens to 38 %.

The median net income of households headed by single mothers amounted to ATS 8,500 in 1995, thus falling 29 % short of the average income of Austrian wage and salary earners. More than 25 % of the households headed by single mothers report incomes that put them into the lowest 10 % section of income statistics, i.e. less than ATS 6,200 were available per single adult living in the household.

,18 % of unskilled male workers, and 7 % of all male wage earners are found amongst the lowest income decile. Unskilled or semi-skilled salaried women (such as telephone operators, untrained shop assistants) account for one fifth of this category, whereas every sixth skilled salaried woman (i.e. shorthand typists, trained shop assistants and qualified office clerks) belong to the lowest income group. Nearly every ninth salaried woman received average incomes of less than ATS 8,230.

Re Article 11, paragraph 1, subparagraph b)

In 1990, the Equal Treatment Act which had been in force since July 1, 1979 was amended with a view to extending the equal treatment principle and strengthening the right to equal treatment of women in employment under private law contracts. The second amendment stipulates, in particular, the following:

- Extension of equal treatment to recruitment procedures, career opportunities and termination of employment.

- Sanctions in the form of (minimum) indemnification in cases where the equal treatment rule was broken in the hiring process or in career development.

- Appointment of an Ombuds-woman for Equal Treatment Issues to whom women can address themselves directly whenever they are discriminated against at their work place on the grounds of sex.

- Payment has to be fixed in accordance with the principle of equal pay for work of equal value; job descriptions of employers and collective bargaining agreements must not contain any discriminatory clauses except for jobs where gender is an indispensable prerequisite for the performance of the specific tasks;

- Specific temporary measures are considered desirable when these are aimed at speeding up the process leading to a de-facto equality of treatment of women pursuant to the UN Convention on the Elimination of any form of Discrimination against Women;

- A new regulation concerning the burden of proof in discrimination cases was introduced: the employee and/or applicant merely has to satisfy the court that he/she had been discriminated against and no longer needs to furnish evidence of such discrimination; the court action has to be dismissed if, after careful consideration of all the circumstances, it appears more probable that the unequal treatment was not motivated by the employer's wish to discriminate against women, but resulted from another motive, or if the male gender constitutes an indispensable prerequisite for the performance of the job.

- The Federal Minister for Women's Issues and the Federal Minister for Labour and Social Affairs now have to submit annual reports to the National Council. These reports have to describe the activities and observations of the Ombuds-woman for Equal Treatment Issues and of the Equal Treatment Commission, and have to provide information on the status quo and further development of equal treatment in Austria.

In 1992, the Equal Treatment Act was amended again. The amendment, which entered into force on January 1, 1993, had become necessary as Austrian legislation had to be harmonised with the EU Directive on Equal Treatment. The amended law now also refers explicitly to sexual harassment at the work place and indirect discrimination against women. Ranking and payment criteria clearly have to take into account the principle of "equal pay for work of equal value". The grounds for

indemnification claims and sanctions in the event of violations of the equal treatment rule have been extended: (In court proceedings concerning employment contracts, the claimant is entitled to a lump sum indemnification of up to two monthly incomes; as regards discrimination in pay: the claimant is entitled to the payment of the difference between her income and that of her male colleagues; as regards fringe benefits: women can claim the same as those granted to men; as regards basic and further training programmes: women have the right to demand participation; as regards career advancement, women are entitled to a lump-sum indemnification of up to four monthly incomes corresponding to the income difference resulting from non-promotion; as regards working conditions: women have the right to work under the same conditions as their male colleagues; in cases of termination of employment: women are legally entitled to appeal in court against dismissal, and in cases of sexual harassment they can claim indemnification of at least ATS 5,000.) Notice of dismissal or dismissal subsequent to an equal treatment claim under the Equal Treatment Act can be contested in court. Following the removal of a phrase by the Constitutional Court, certain legal consequences were rescinded in cases where unequal treatment occurred as a result of non-compliance with the directives of the Equal Treatment Commission.

Re Article 11, paragraph 1, subparagraph c)

It is a well-established fact that women, even when they have the same formal qualifications as men, start their careers at lower levels, which reinforces the vertical sex-stereotyped segmentation of the labour market. In addition, women have fewer opportunities of advancement. Many women end up in "dead-end" careers (i.e. in secretariats).

In 1990, only 6,500 women held executive or managerial positions in salaried employment, which compares with 45,900 men; 18,400 women and 89,900 men were in jobs requiring a high level of qualifications, and 70,600 women as against 202,400 men worked in higher-level positions, which corresponds to 5 % of all economically active women and 11 % of all men in gainful employment. 28 % of women and only

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10 % of men held skilled and medium-level jobs. As fewer women than men complete apprenticeships, a mere 5 % of gainfully employed women, but 21 % of economically active men belong to the category of skilled workers..In 1990, 38 % of men who had completed their apprenticeships were skilled, which compares with only 13 % of women. On the other hand, men accounted for 7 % and women for 32 % of salaried employees in semi-skilled jobs. Female graduates of medium-level vocational secondary schools much more frequently than their male colleagues, female salaried employees or civil servants occupy semi-skilled or medium-level jobs. The same applies to graduates of medium-level academic secondary schools and higher-level vocational schools. In 1990, 12 % of female university graduates (as against 21 % of male graduates) were in highly qualified employment, 6 % were civil servants (as against 13 % of men). In 1993, roughly two thirds of women in gainful employment worked as salaried employees or civil servants. A breakdown of the share of female employment in the different occupational and professional categories reveals the following pattern: Roughly 40 % of female wage earners and civil servants as against 30 % of men performed auxiliary or simple tasks. As compared with 1983, the percentage of women at the lower levels of the job hierarchy declined slightly while that of men rose slightly. Just over one third of women and roughly one quarter of men performed medium-level tasks, which means that hardly any changes occurred at this level of the job hierarchy in the past decade. At the top level of the hierarchy, only minor changes occurred: in 1983, 22 % of female salaried employees and civil servants held higher-level or executive positions requiring high qualifications; in 1993, their share was 23.5 %. However, only 4.6 % of women made it to the top echelons of the hierarchy (highly qualified executive or managerial positions). This means an only insignificant increase as against 1993. Twice as many male salaried employees and civil servants as females hold jobs at the two highest levels of the professional hierarchy (1983: 42 %, 1993: 44.2 %). Four times more men than women managed to reach the top level.

Taking into account the changes that occurred over the past decade, in 1993 there were roughly 300,000 more women working as salary earners or civil servants. One positive trend can be observed: as

compared with men, more women conquered higher-level positions. Whereas in 1983, only 13.3 % of females held highly qualified, executive or managerial positions, their share had increased to 19.8 % by 1993. As regards higher-level jobs, the proportion of women had gone up from 38.3 in 1983 to 42.3 % in 1993; whereas women accounted for 49.7 % of salaried employees holding medium-level positions in 1983, a decade later this figure had risen to 57.7 %.

Overall, a sharp increase can be observed in the number of women, especially qualified women, amongst salaried employees and civil servants. Nevertheless, this should not hide the fact that in the category of female salaried employees and civil servants, roughly three quarters in 1993 performed at best medium-level tasks. For civil servants, the share of both men and women in the highest qualification category amounts to 5 %. This can be attributed primarily to the large proportion of female teachers who are considered to have higher-level qualifications.

Re Article 11, paragraph 1, subparagraph d)

In the selection and weighting of job characteristics, labour grading systems are clearly biased in favour of male norms and standards. In addition, the total number of annual working days differs for men and women. In 1993, 33 % of female wage earners, as against 26 % of male wage earners, were employed for less than 250 days a year. In the category of salaried employees, the percentages were 22 % for women and 16 % for men. With women, a period of employment of less than five months occurs much more frequently than with men.

On January 1, 1993, a "tandem law" on industrial relations was passed (the "Equal Treatment Package"). It contains a wide variety of measures which take into account the different living and working conditions of women (heavier work load in the family) and is aimed at safeguarding their equal treatment in the world of work:

- an amendment to the Equal Treatment Act;
- improved protection of the health of pregnant women;
- extension of time-limited employment contracts until the beginning of the maternity protection period;
- creation of more part-time jobs for parents with small children;
- extension of the current nursing leave arrangements, including employer's entitlement to claim reimbursement of salaries and wages paid in accordance with Section 16, paragraph 2 of the Holidays Act from social insurance institutions; repeal of the provision that employment must have lasted for a minimum period before the wage or salary earner acquires a right to severance pay under the relevant legislation (Employees Act, Act governing severance pay for wage-earners);
- improvement of the status of part-timers (i.e. part-timers are entitled to a pro-rata share of fringe benefits; taking into account extra work done regularly for the calculation of special bonuses or payments);
- modification of the Labour Management Act (the average wage level serves as an additional criterion for fixing minimum remuneration); stronger representation of women and their interests in work councils through in-company programmes for the advancement of women as well as special working-time arrangements for staff with family obligations);
- crediting a maximum of ten months of maternity leave (in line with the duration of military service) towards dismissal periods, holiday entitlements and sickness benefits;
- entitlement to unemployment benefits after maternity leave for the duration of a training programme organised by the Labour Market Authority;
- improvement of the status of home workers (i.e. observation of one week "notice of dismissal" and/or compensation for dismissal, gradual build up of severance claims).

Re Article 11, paragraph 1, subparagraph e)

For unemployment figures for both men and women, see Tables II - IV of the Annex, which was provided by the Austrian Labour Market Service.

As compared with 1980, approximately 380,000 more individuals were out of work in 1992. The decline of female unemployment figures towards the end of the reporting period can be attributed to the introduction of a second year of parental leave. With better chances of re-entry into the world of work, women increasingly took advantage of this second year of leave thus temporarily lessening the pressure on the labour market. The average duration of unemployment is significantly longer for women than for men. In 1995, women who had lost their jobs, on average, remained unemployed for 136 days, which compares with 116 days for men. In 1980, the average duration of unemployment was 52.3 days for both sexes. The duration of unemployment increases drastically for older women or women with lower qualifications who had previously worked in the service sector. A person's educational level correlates, to some extent, with the risk of unemployment. The lower the educational level, the higher the risk of unemployment. 85 % of the registered unemployed have only completed compulsory school or an apprenticeship. By international comparison, Austria still records a low rate and short duration of unemployment.

The Austrian Labour Market Authority, a department of the Ministry of Work and Social Affairs, elaborated a Labour Market Policy Programme for Women (see also Table IV of the Annex), which provides, in particular, for

widely publicised information seminars held by the Labour Market Authority, labour exchanges or women's counselling centres;
widening the range of vocational guidance and counselling courses for women, and establishing more counselling centres for women
a proactive programme designed to raise the qualification levels of women by offering a wider range of specific courses, creating the necessary environment and adopting the required measures to increase the share of female attendance, promotion of apprenticeships offered by companies to adult women; making available more specific training and education options for women in gainful employment;
support of women having to care for children through the creation of additional child care facilities and the granting of special child care

allowances under make-work schemes organised by the Labour Market Authority.

Aktion 8000 is a scheme launched by the labour market authority with a view to promoting the creation of additional jobs. Under this scheme, the unemployed get a chance of re-integration into working life. Basically two categories of people can be hired: the long-term unemployed or individuals who are particularly disadvantaged in the labour market (such as women who have limited placement chances because they have to care for children or other dependent family members). Experience has shown that Aktion 8000 which is now carried on under the name "non-profit integration support scheme", has been most effective for the launching of women's projects and female employment, as in 1994, 63.3 % of all people finding work under this scheme were women.

In 1994, the Labour Market Authority was hived off from the Federal Administration, and set up as a separate body with clearly defined labour market policy tasks.

At the end of the reporting period, women's groups and some trade union activists demanded that minimum protection be afforded to women under the existing unemployment scheme and that the provisions governing entitlements to emergency relief be amended. Many women do not qualify for emergency relief after the suspension of unemployment benefits because part of their income of their husbands or permanent partners is taken into account in the assessment of women's entitlement. As a consequence, such a period of unemployment is not credited towards the pension entitlement. Thus many women lack major periods of social insurance coverage that would give them an entitlement to an old-age pension.

In 1993, tax free amounts not offset against the net income of their spouses or partners were increased for the unemployed over 50. The main beneficiaries of the new scheme are women of this age group. The idea of granting public funds to enterprises which create qualified jobs for women was discussed, but has so far not been acted upon.

In December 1990, the Austrian Constitutional Court ruled that the different retirement ages (60 for women and 65 for men) violated the principle of equal treatment. In the course of the negotiations on a new law, a number of women's organisations argued that it was not acceptable to treat women as equals in connection with the retirement age, while all other disadvantages persisted for them. The lower retirement age of women had never been a privilege, but was considered as a trade-off for the double and triple burden borne by women with family obligations during their entire working lives. As a matter of fact, very long transition periods were determined. This means that as from the first of January 2019, the early retirement age of women will be increased by six months annually, and the regular retirement age for women will also be increased by six months annually, starting on January 1, 2024 and ending in 2033.

On January 1, 1993 a "tandem" law on industrial relations (the "Equal Treatment Package") entered into force (see Article 11, paragraph 1, subparagraph d)), which resulted, in particular, in new pension arrangements for women. The new law provides for a crediting of child care periods towards the pension entitlement, amounting to a maximum of four years per child. In the event of overlapping child care periods (i.e. if the age difference between two children is less than four years), credit is given only once.

New arrangements concerning survivor's pensions (i.e. widows and widowers) came into force on January 1, 1995. Under the new regime, pension amounts are assessed on the basis of the income from employment of the deceased person. In cases where the income of the spouses differs by 50 % or more, the survivor whose assessment basis is higher, receives 40 % of the pension of the deceased spouse. If the income differential is less than 50 %, the survivor will receive from 40 to 60 % of the pension of the deceased husband or wife. If the sum-total of both pensions amounts to less than ATS 16,000 per month, the survivor's pension will be increased up to a maximum of 60 %. As in the past, widows having no pensions of their own, will receive 60 % of their late husband's entitlement.

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Since 1988, another new provision has been in force: Widows who at the time of the death of their husband were under 35 can claim widow's pensions for life only if they have a child by their deceased husband, or if the marriage had lasted for a minimum of ten years or if the woman was unable to work at that time. Otherwise, a widow's pension will be paid only for a period of 30 months.

As regards pension law, the so-called cover-rule was replaced by the permanent right to future pension payments. Accordingly, since 1990, all periods during which a person was covered by social insurance have been credited towards his or her pension entitlement. In contrast to the former provisions, extended interruptions of insurance-cover periods will no longer entail the lapse of all entitlements acquired until then. Although the new provisions apply to both sexes in practice they operate mainly to the benefit of women.

On January 1, 1992, voluntary pension insurance was introduced. This option is hardly ever chosen as the contributions that have to be paid are extremely high.

For wage and salary earners, the entitlement to a "pension for reduced capacity to work" is assessed on the basis of vocational and professional qualifications and the work carried on predominantly over the previous 15 years. This presents a particular disadvantage to women who re-enter employment after having cared for their children and in many cases do less highly qualified jobs; when they submit an application for a pension for reduced capacity to work, social insurance institutions and the relevant courts tend to turn down such applications arguing that less qualified persons normally have a wider choice of jobs. In addition, women more often than men lack the required periods of insurance cover. Social insurance institutions recognise only certain diseases as occupational ones. As regards diseases, a gender-specific pattern emerges: in 1993, of the 481 recognised occupational diseases, 72 % of women suffered from skin diseases, while 64 % of men suffered from "hearing disorders caused by noise".

In 1993, 11.5 % of women and 19.5 % of men were granted pensions because of officially recognised occupational diseases. In the debate

about the amendment to the Labour Protection Act, feminist groups have, therefore, urged that the list of occupational diseases be extended to include specific work-induced diseases of women.

In 1991, more men and women opted for early retirement than a decade earlier. Only a minority of this age group remained in their jobs during the year preceding their statutory retirement age: the percentages were 8 % of the 64 year-old men, and 17 % of the 59 year-old women.

An obligation to register employees whose income falls short of the so-called "negligibility threshold" amounting to ATS 3,452 was introduced at the beginning of 1994 (see Table V of the Annex). 50 % of women in minimal employment do not enjoy any protection under labour or social insurance legislation. Occasionally, women hold several such low-paid jobs in order to be able to earn a living. In these cases mandatory social insurance appears desirable so that persons in minimal employment could acquire entitlements to health and pension insurance coverage (and not only to the accident insurance coverage which they now enjoy).

In the sphere of freelance work and self-employment, new forms of dependence have emerged in the past few years, such as teleworking, working under work contracts, etc. These self-employed people neither enjoy the freedom of discretion as to whether and when they want to work, nor do they stand a chance of making profits, and they are in no way covered by social insurance. For this group of individuals the term "dependent self-employed" was coined. The characteristic features of the dependent self-employed are the following: individuals work for only one employer; they do not offer their services in the market; they employ no staff; hardly ever can they contribute their own capital resources; and, their net income does not exceed the net wages earned for similar work. The advantages such arrangements offer to employers are obvious. They need not pay social insurance contributions or observe regulations governing dismissal protection, working hours or industrial safety. AT the end of the reporting period it was obvious that these new forms of working arrangements should not only be subject to taxation, but should also place an obligation on the employer to pay social insurance contributions for the persons whose services he uses.

Re Article 11, paragraph 1, subparagraph f)

Stress at the workplace has risen considerably (mounting time pressure and pressure to perform). In most cases stress is caused be streamlining measures and an intensification of work requiring a higher degree of concentration, which in part result from the introduction of new technologies. For women, stress at the work place is further exacerbated by a workload resulting from family obligations, for which women still feel responsible in accordance with traditional role models.

Although in the course of the past few years the per-capita number of hours worked overtime has declined, the number of individuals who regularly work overtime has gone up. Since 1987, the percentage of men has gone up from 23 % to 29 %, that of women from 12 % to 16 %.

Since the early 'eighties, new technologies have been rapidly gaining ground. As a result, an ever larger number of scanner cash desks are being used in retailing, and in industry traditionally female jobs are being increasingly killed by automation. Although in clerical jobs, computers and screen work have reduced errors, thus simplifying, in particular, female jobs, the workload on women has become heavier because of an intensification of work, a growing number of routine tasks, a higher degree of monotony in repetitive jobs, and stricter control of their performance; the leeways or extra time reserves of the past have been reduced as have any relaxing or communication activities because the need for concentration at the workplace has become ever more imperative.

Computer workstations cause additional strain on the eyes and the spine. The new Labour Protection Law of 1994, provides, amongst other things, for the implementation of the EU Directive on Computer Work Stations. Under the new law, employers are required to assure the ergonomical design of such workstations. Furthermore, regular breaks must be granted. The staff of such workstations are entitled to ophthalmologic examinations of their eyes and sight. If necessary,

special spectacles for computer work stations must be put at their disposal.

A nation-wide study commissioned by the Federal Ministry of Labour and Social Affairs in 1988 revealed that 81 % of 1411 female interviewees had been exposed to sexual harassment once or several times in their careers. 30 % reported one or more very serious cases of sexual harassment or violence, and 3.3 % reported that they knew about one case of rape in their working environment. Since 1991, the Equal Treatment Service has offered help to sexually harassed women. Ever since the time that this issue has been publicly debated instead of being tabooed, this service has been heavily drawn on: in 1992, 26 women consulted the Equal Treatment Service, in 1993, there were 45 cases, in 1994, 83 and in 1995, 87 cases.

By the definition given in the Equal Treatment Act, sexual harassment occurs if, at the workplace, "behaviour of a sexual nature is shown which impairs the dignity of a person, and is undesirable, inappropriate or indecent for the person concerned." Sexual harassment primarily affects women; as a result, women perceive this harassment as an extra strain that hampers them in the execution of their specific tasks. While male colleagues most frequently harass women at the workplace, women perceive sexual harassment by a superior as more threatening. Sexual harassment by guests, customers or patients occurs less frequently, and sexual harassment by subordinates occurs least often. Most cases of sexual harassment are not limited to a single occasion, as many women hope. Even if the harasser is only a colleague and not a superior, the non consenting victim will only rarely be supported by her colleagues and she will often be dismissed. Hence women normally either try to be moved to another job or hand in their resignation.

Since the beginning of 1993, nursing staff has been covered by the Law on Heavy Night Shift Work. Nursing staff exposed to extreme stress (i.e. in intensive care units) receive a time credit for every night they are on duty. For this time credit, special leave is granted, which must,

however be taken within six months of the night duty and may not be compensated for in the form of money.

The ban on night work done by women, which, however, contains numerous exceptions will be lifted as a result of Austria's accession to the EU. In accordance with the decisions on night work of the European Court of Justice special regulations taking into account the sphere of activity and/or the age of the person concerned are permissible, a differentiation of rules on the basis of sex is not permissible. Austria made a reservation to the Agreement of the European Economic Area so that for the time being the ban on female night work will remain in force. A gender-neutral new rule will be adopted, which will provide for compensation for people working night shifts. In contrast to the relevant decisions made by the European Court of Justice, the Austrian Constitutional Court in 1992 ruled that the ban on night work done by women did not run counter to the principle of equality, arguing that the realities of life were different for women and men as most women bore a double burden. In some sectors round-the-clock work is required because of new technologies or the need for higher competitiveness. The ban on night work done by women frequently means that employers do not consider hiring women to fill such vacancies.

Re Article 11, paragraph 2, subparagraph b)

In the past, the right to take maternity leave until the child's first birthday was restricted to employed mothers. The Parental Leave Benefits Act, which came into force on January 1, 1990, provides the opportunity for either the (employed) father or the (employed) mother to go on leave or to share this leave after a child is born. This constitutes an important step towards equality of opportunity for both sexes in family as well as in working life. As of July, 1990, the duration of parental leave was extended so that parents are now entitled to stay on leave until the child's second birthday. In 1992, 105,414

women, but only 781 men (i.e. 0.7 %) took parental leave, which compares with 120,574 mothers and 1,023 fathers in July 1994. The low percentage of fathers going on leave can probably, at least in part, be attributed to the difference in income levels of men and women, especially as parental leave benefits are not equivalent to income from work. Protection from notice of dismissal exists until four weeks after the expiry of the parental leave period. However, it is often difficult for women to return to work after two years of parental leave. Women organisations and trade unions have repeatedly demanded an extension of the ban on dismissal, after the expiry of parental leave so that a claim to unemployment benefits is created. This demand has, however, not yet been met.

Nor has the demand for an extension of the reporting period for claiming parental leave from four to eight weeks been successful.

During leave the mother or father receives parental leave benefits, which amounted to ATS 181.30 a day in 1995.

The option to work reduced hours was introduced with the "tandem law" on industrial relations of 1992. This option constitutes an important socio-political instrument under the existing legislation on maternity protection and parental leave. The entitlement to part-time work applies equally to biological, adoptive and foster parents of babies and small children. Immediately after expiry of the period for protection from dismissal or dismissal or after one year of parental leave the parents can opt for part-time work. It is possible either for both parents or for one to work part-time until the fourth birthday of the child at the latest. During this period, parents working part-time are entitled to a pro-rata share of parental leave benefits. In contrast to parental leave, a legal entitlement to part-time work does not exist. It is subject to a unanimous agreement between the employer and the mother or father concerned. The employer may refuse part-time employment only on justified grounds. At present, only 1 % of all mothers take advantage of this opportunity. The creation of a legal entitlement to part-time work for parents of small children and extension of this period to the sixth birthday of the child with a view to allowing parents to combine work and family obligations more easily was discussed in

1992 when the "Equal Treatment Package" was adopted and has since remained a central concern of women's policies.

The Act governing the Extension of Parental Leave, which was passed by Parliament on July 1, 1990, resulted in significant improvements for two groups of working women who are not entitled to parental leave benefits. These are employed women who do not meet the conditions for the statutory entitlement to parental leave benefits, but who are entitled to a maternity allowance under existing service or apprenticeship contracts, and self-employed women entitled to a business grant who can now claim a part-time allowance corresponding to 50 % of parental leave benefits up to the second birthday of the child at the latest.

Mothers or fathers who care for their children primarily on their own and do not qualify for parental leave benefits, a business grant or a part-time allowance, can claim a birth allowance supplement of ATS 1,000 for a maximum duration of 12 months, provided that the family income is below the stipulated ceiling.

Single mothers or fathers as well as married mothers or fathers in the lower income bracket are entitled to 50 % higher parental leave benefits, so as to allow them to look after their children personally during the first two years of life. 28 % of mothers on parental leave receive such higher benefits; 60 % of them are married.

Under the austerity programme adopted by the government with a view to cutting the budget deficit, as well as in response to the allegation that frequently the current system was abused (by people postponing marriage in order to get higher benefits), the higher parental leave benefits will be replaced by a grant in addition to parental leave benefits or part-time allowance amounting to ATS 2,500, which must be paid back by the father (in the case of unmarried mothers) or by the couple once their annual income exceeds ATS 350,000.

On expiry of the parental leave benefits, single mothers (or fathers) who, after the end of the parental leave (have to) bring up their children primarily on their own, are entitled to special relief, provided that no

child care facilities i.e. kindergartens are available. This special relief is paid until the child's third birthday, at the latest.

As of 1990, married mothers whose partners earn no, or only a very small income, are also entitled to special relief. The amount of the special relief, which is financed from the Unemployment Insurance Fund, is determined on the basis of the last income from gainful activity, and ranges between 92 % of the unemployment benefit. Since 1989, foreign women have also been entitled to special relief if they hold a certificate exempting them from the obligation to obtain a work permit.

Re Article 11, paragraph 2, subparagraph c)

Nation-wide, care for children under three is considered to be primarily the task of parents. As a matter of principle, measures designed to reconcile the demands of family and job should enable parents, if they so wish, to care for their children themselves at least during the most formative period. It should be possible to reach this objective given the protection pregnant women enjoy under Austrian law, parental leave and part-time working arrangements as well as attractive offers of reintegration into the world of work after parental leave.

After the birth of a child, women, on average, drop out of the labour market for three years. The nexus between the interruption of gainful employment and the number of child care facilities is evident as many women are forced to look after their children almost exclusively themselves given the near-absence of child care facilities, and thus risk falling behind in their careers.

In Austria, the provision and maintenance of child care facilities is the responsibility of the Federal Provinces under whose laws kindergartens have the specific educational mission of complementing child care within the family. Therefore, considerable regional differences exist as to the number and opening hours of available child care facilities. Since 1992, efforts have been focused on the creation of a sufficient number

of child care facilities with a view to meeting current demand. The funds required for the implementation of this project come from the financial equalisation scheme agreed upon by the Federal Government and the Federal Provinces. There is an obvious need for the creation of additional child care facilities since under the current system opening hours do not take into account the working hours of people in the retail trade, in hotels and catering enterprises, in the health sector and in other service occupations; neither do they consider the well-being of children or the needs of their parents. Moreover, there is a major discrepancy as regards minimum holidays for the gainfully employed and holidays of school and kindergarten children.

In 1995, the Federal Government made available additional funds (the "kindergarten billion") for the accelerated expansion of child care facilities, including child-minder projects, provided that child-minders are covered by the relevant labour law regulation and social insurance. These funds will be passed on by the Ministry for Women's Issues to interested Provinces having concrete projects in mind. At the end of the reporting period, the implementation of this project had taken on relatively clear contours.

In early 1995, a bill on the creation of child care facilities was under discussion, whereby responsibility for legislation on child care facilities would devolve from the Provinces to the Federal Government and which would have imposed an obligation on the Federal Provinces to create and operate additional child care facilities or to entrust other bodies with this task. This bill further stipulated that crèches should be made available for 20 % of pre-school children under the age of three, and other care facilities be established for 85 % of pre-school children. These facilities would be open on all working days of the calendar year, and be located within reasonable distance of the children's homes.

Nation-wide, the number of child care facilities went up by 17 % in the reporting period. Of the newly founded child care facilities, three quarters were kindergartens and the remainder day-care centres and crèches. In the reporting period, the number of children's groups in

child care institutions rose sharply so that group sizes have become smaller. At present, crèche groups, on average, consist of 14 children, whereas groups in kindergartens average 23 children and those in day-care centres 21 children. Relevant statistics show that in 1991/92 there was a total of 4,817 crèches, kindergartens and day-care centres in Austria. As compared with 1985, the number of full-day kindergartens has risen by nearly one quarter. As a result of the expansion of day-care centres, 15,617 more children were able to attend institutional child care facilities in 1991/92 than in 1985/86.

The majority of child care facilities is concentrated on the 3 - 6 year age band. From 1985 to 1995, the proportion of three to six year olds attending crèches or kindergartens went up form 57 % to 62 %. Of the seven to eight year old pupils, only 7 % attend day-care centres outside school, and the share is a mere 1.4 % for ten to 15 year old children. The overwhelming majority of children in child-care facilities attend kindergartens (187,031 or 85.2 %), 6,392 or 2.9 % crèches, and 25,971 or 11.8 % day-care centres. Nearly two thirds (i.e. 64.7 %) of all pre-school children, especially those in the under three age band, attend neither kindergartens nor crèches. Seven out of ten children under the age of four are in private care. In 1991/92 two thirds or 66.5 % of the four-to-five-year- olds, and 86.6 % of the five-to-six-year-olds were enrolled in kindergartens. Once children reach school age, the proportion of those attending day-care centres continuously goes down with children in the older age bands: a mere 6.5 % of the seven to eight-year-olds and only 5 % of the nine to ten-year-olds go to day-care centres.

One quarter of all day nurseries are concentrated in Vienna, and nearly 50 % in the country's eastern Federal Provinces, Vienna, Lower Austria and Burgenland. In addition, more than three quarters of all crèches and 62 % of all day-care centres are located in Vienna.
On the basis of the number of places available in 1992/93, a total of roughly 71,000 additional kindergarten places would be needed to meet parents' wishes and allow the enrolment of 85 % of the three-to-six-year-olds. Accordingly, the current number of places available for this age group would have to be increased by about 40 %.

Only 54 % of Austrian kindergartens stay open all day; 23 % close over lunch time or remain open for only half a day. Whereas in Vienna, 93 % of all kindergartens stay open all day, only 4.9 % of Tyrolean and 5.5 % of Vorarlberg kindergartens offer all-day care without lunch breaks. A mere 1.5 % of the country's kindergartens, one day-care centre and four crèches remain open on Saturdays and/or Sundays.

The number of children's groups organised by parents and of child-minders has also clearly increased over the past years. Some 40 such groups have been set up in Vienna, and about 160 in the other Provinces. They have united in a federal umbrella organisation concerned with initiatives of Austrian parents.

Traditionally, Austrian schools have been half-day schools, which gives rise to considerable problems for working parents. From the scholastic year 1994/95 onwards and beginning with the first year, primary and secondary schools, polytechnic courses and the lower levels of general academic schools can now be run as full-day schools.

Scheme 8000 is a promotion measure of the Labour Market Service designed to create additional jobs. Strictly speaking, only communities, non-profit organisations and/or associations are entitled to employ persons under Scheme 8000. However, private and company kindergartens as well as children's groups organised by parents can also receive grants under Scheme 8000, if they guarantee that the hours they remain open are employee-friendly.

The re-entry of women into professional life is frequently barred by the costs of child care outside the family, an expense which they cannot afford. Since 1988, the Labour Market Authority has offered additional assistance to men and women in the form of child care benefits in such situations . Through these benefits, mothers and fathers are to be assisted in seeking and taking up jobs and in participating in training programmes. Economically active persons whose further employment is jeopardised because of their need to care for children or family members, can also be supported under this scheme. From 1988 to 1992, the number of child care benefit cases multiplied by a factor of ten. In 1993, 2,391 persons claimed child care benefits (2,343 women,

48 men). However, owing to the government's austerity programme, the amounts have been cut and the duration of payments halved.

Re Article 11, paragraph 3

With a view to safeguarding equal job opportunities for women in the period preceding formal equality as regards pension age, the Equal Treatment Package stipulates that the Federal Government should, until 2018, submit biannual reports to the National Council on the measures taken in order to lessen the social and economic disadvantages of women, as well as disadvantages resulting from their specific role in the family.

Re Article 12, paragraph 1

In response to women's initiatives and to international health guidelines, the health care providers have, in recent years, started to set up women-specific services, or in other words to take account of the needs of certain groups (girls, women in the menopause, foreign women). The main impulses towards health promotion have come from feminist health work and advocate the adoption of a new approach, moving from curative to preventive medicine. Health promotion aims at enabling individuals to assume responsibility for their own health and to contribute actively to remaining healthy. Measures designed to permit a reconciliation of the demands of family and work are of particular significance in this context.

From the age of 19, Austrians are entitled to preventive medical check-ups. There is no major gender-specific difference in the way this service is used. For working women preventive medical check-ups also pose a time problem. Women who are under stress tend to neglect their own health.

The access of migrant families to the health care system is impeded by language and socio-cultural barriers. In order to improve the integration of foreign women into the medical system, a pilot scheme is being conducted in Vienna with five interpreters, who take care of foreign women in public hospitals. This successful project is to be expanded.

Women consult doctors more frequently than men. In 1991, only 13.2 % of women and 21.4 % of men did not consult a doctor in the course of the year.
In the same year, fewer women, i.e. 27.7 % believed that they enjoyed excellent health, which compares with 35.9 % of men. 6.9 % of Austrian women and 5.9 % of men stated that their health was poor.

Persons occupied exclusively with household work have a more negative view of their state of health than women and men in gainful employment. One reason could be that, in our society, household work which does not involve child rearing has a lower social rating, and this has a negative effect on people's self-esteem. The positive psychological impact of paid work on people's health should not be underrated: having one's own money means more decision-making power, at least partial independence of one's partner, better chances of planing one's life, a feeling of security with respect to one's old age. However, the double burden that has to be borne by many working women detracts to a certain extent from these positive aspects.

In contrast with men, women take less sick leave and are absent from work for shorter periods. In 1991, periods of sick leave taken by female wage earners and salaried employees averaged 13.1 days, those of men 13.8 days.

Women mostly perceive their mental well-being as worse than their physical health. The five most frequent factors which impair women's well-being are: health problems, financial difficulties, loneliness (especially among housewives and elderly women), the double burden of family and job as well as sleeping disorders. It was only recently that another aspect of typically female occupations was newly recognised, i.e. "emotionally-based work". This means that a person's

specific emotional make-up constitutes the prerequisite for the performance of a particular job. Although this type of qualification forms part of the job profile, it is not defined in job descriptions. Some occupations in retailing, the service sector, in the fields of health care, teaching and cultural work in which the proportion of women rose from 15 % in 1951 to 33 % in 1981, clearly require the capacity for "emotional work". Typical examples of such jobs are sicknurse, kindergarten teacher, shop assistant, and flight attendant. Research is to be done on the specific types of strain caused by work with a strong emotional element.

The consumption of psycho tropic drugs in the wider sense (e.g. headache pills) and in the narrower sense (e.g. sleeping pills and tranquillisers) is declining among both women and men.

Nevertheless, the consumption of psycho tropic drugs has remained a female domain: twice as many women as men take psycho tropic drugs. Overall, the average of women (29.1 %) who regularly consume medicines by far exceeds that of men (19.9 %). With the exception of the age band of the under ten-year-olds more women than men in all age categories regularly take medication. Hence it follows that gender-specific patterns of consumption exist, and that the higher consumption of drugs by women is not due to their longer life expectancy.

According to estimates, about 10 % of Austrian couples are childless. New technologies have changed the perception of childlessness, which is increasingly regarded as an illness and, as such, falls within the scope of reproductive medicine comprising the following: artificial insemination, hormone treatments and various techniques of in-vitro fertilisation (IVF). In Austria, some 2,000 attempts at IVF are made every year. The chances of success are slim - a mere 10 to 15 % of women become pregnant, in most cases only after several attempts.

Since June 1992, reproductive medicine has been governed by law. Under the law, what is called "medically assisted" reproduction is restricted to approved hospitals where interventions may only be performed by specialists in gynaecology and obstetrics. Artificial insemination is restricted to married couples or couples living in

cohabitation. The egg cells and spermatozoa must come from the couple. An exception is made if the husband or partner is incapable of reproduction; in this case, the sperm of a donor can be used for the insemination, but the husband or partner has to take on all the statutory duties of a father. The relationship between the sperm donor and the child does not come under family or inheritance law; upon completing his/her 14th year of life, the child is entitled, however, to be informed about the biological father.

With the ban on surrogate motherhood and egg cell donations under the law governing reproductive medicine (BGBl. no. 275/1992), an important legal norm was created with a view to guaranteeing respect for the dignity of women.

Menopause or hormone clinics have been set up throughout Austria for women with menopausal complaints; some of them are run by private providers.

By the end of 1994, 1,282 cases of AIDS had been registered in Austria. In 1994, the number of new cases among men declined by half, whereas the number of new cases among women has remained constant for the past five years. In about one fifth of the registered AIDS cases the disease was acquired through heterosexual contacts. Since the entry into force of the AIDS Act, prostitutes have been obliged to undergo AIDS tests at least every three months. Any meaningful preventive measure, however, would have to be directed at the "punters", who should be prevented from contributing to the spread of the disease by demanding, e.g. from illegal prostitutes, high-risk sexual practices and/or unsafe sex. Moreover, social measures must be taken to ensure that prostitutes who are HIV positive can live (and survive) without being driven to illegal prostitution.

Almost 480,000 people living in Austria are suffering from such serious functional impairments that, without assistance, they cannot cope with personal chores or the tasks of everyday life. Three quarters of these people are over sixty, and more than two thirds (67 %) are women. As regards the provision of care clearly gender-specific differences exist:

95 % of men are taken care of in their own homes; the corresponding percentage for women is 90 %. This means that 26,000 women but only 6,000 men are cared for in nursing homes and hospitals.

In the period from 1981 to 1990, the number of people involved in professional health care rose by 74 %. The most dramatic changes involved medical staff, whose numbers increased by almost 10,000 or 48 % over the past decade.

In the field of the health professions, general nurses, numbering 37,800 persons constitute the largest group. The care of infants and children is the exclusive domain of women. The share of women in general nursing is 93 % and in mental care they account for 54 % of the nursing staff.

In 1993, the provisions of the Act on Heavy Night shift Work were extended to include nursing staff. As the share of women among graduates from medical schools has been 50 % since the early 'nineties, the number of women in the medical profession will continue to rise. Major gender-specific differences exist in the senior medical positions in hospitals: in 1994, there were 1,321 male head physicians as against 121 female ones, the proportion of women amounting to 8.4 % (1984: 5.5 %). The percentage of women varies in the individual specialist fields. The branch with the highest proportion of women (53 %) is physical medicine. The percentage of women is particularly small, i.e. less than 10 %, in surgery, orthopaedics, urology, accident surgery and neurosurgery.

The share of women in auxiliary health care jobs is 71 % and their percentage among persons providing advanced medico-technical services is 90 %.

The profession of midwife used to be an exclusively female domain. Since 1994, the training has been open to men. Of the 1,200 active midwives 900 are employed in hospitals.

In 1993, 3,283 persons in Austria were entitled to practise psychotherapy. The share of women is approximately 60 %.

Re Article 12, paragraph 2

In an effort to improve the medical care of pregnant women, babies and infants, a series of additional screenings have been introduced. The "Mother/Child Pass" serves the documentation of regular medical examinations of the mother during pregnancy and the baby and young child . Until the end of the reporting period, the "Mother/Child Pass" was the prerequisite for payment of the full childbirth benefits. Nearly 100 % of pregnant women in Austria take advantage of the pre- and neo-natal care offered in connection with the "Mother/Child Pass". Thus, basic medical care during pregnancy and the first years of the child's life has been assured. Thanks to the examinations required in order to obtain the Mother/Child Pass, Austria has succeeded in reducing infant mortality significantly, from 23.5 out of one thousand live births in 1974 to 7.5 in 1991.

Mother/Child Pass: two optional ultrasound screenings during pregnancy were included in the examination programme in 1987, two ultrasound hip examinations of the child and another medical check-up of the mother (for hepatitis) were added in 1992.

Maternal mortality was also successfully combated: whereas in 1974 19.5 out of 1,000 women died in childbed (calculated on the basis of 100,000 live births), this figure came to only 4.2 out of 1,000 in 1992. Studies have shown that about 50 % of women would prefer to be examined by a female gynaecologist. Women working in this medical field, however, constitute a mere 14 %. Classical preventive medical services, such as the Mother/Child Pass and preventive gynaecological examinations are complemented by grassroots groups and model projects, such as health centres for women, self-help groups for women, emergency telephone services, as well as the FEM (a special pre- and post natal care unit) at Vienna's Semmelweis Gynaecological Hospital.

Re Article 13, paragraph a)

To recompense families for part of the expenses incurred in bringing up children, a family allowance is paid for each child, financed from the Families Burden Equalisation Fund. This allowance is paid until the age of 19 or of 21 (in the case of unemployment). If the child undergoes a longer professional training, the family allowance will be paid until it reaches the age of 27 at the latest. Currently it is ATS 1,300 per month, for children above 10 years of age it is ATS 1,550; for children above 19 it is 1,850. For children suffering from severe physical or mental handicaps the family receives the regular allowance plus a supplement of ATS 1,650. Under the current legislation, the parent running the household is entitled to receive family allowance, because it is assumed that it is normally the mother who is primarily responsible for the child. If the mother wants the father to be paid the family allowance, she must declare in writing that she waives her claim.

On January 1, 1993, child allowances were introduced. This allowance is basically a supplement to the family allowance and is granted for every child for which the family allowance is received. The amounts of child allowances are staggered: they are ATS 350 for one child, ATS 525 for the second child, and ATS 700 for the third.

The tax allowance to which both male and female sole earners are entitled de facto promotes traditional family policy concepts based on a gender-specific division of labour, as it tops up the income of the "bread-winner" of the family, who in most cases is a man. In 1994, the right of the non-working spouse to earn up to a maximum of ATS 20,000 a year without the breadwinner losing his entitlement to special tax relief for sole earners was raised to ATS 30,000 a year.

The current tax law takes into account the specific situation of single parents who are entitled to special tax relief provided that they care for a child. This arrangement in part counterbalances the financial advantages enjoyed by married couples when the mother stays at home, as compared with the situation of single parents. Tax relief for sole

earners and single parents amounting to ATS 2,000 each is treated as negative taxation if the concerned person's income is too low for the tax to be withheld at source.

In all Austrian Federal Provinces, socially disadvantaged families with infants receive family allowances, child-rearing benefits and/or family promotion grants. The conditions to be met as well as the amounts paid out vary from one Federal Province to another, while an income ceiling is always imposed. Some Federal Provinces, such as Vorarlberg, pay allowances for domestic child care out of tax revenues and not out of social insurance funds provided that one of the parents stays at home and devotes all his time to child care.

Re Article 13, paragraph b)

Although Austrian private law is basically egalitarian in its gender approach, and although it permits women to enter into loan agreements and contracts on the commercial use of land, in practice Austrian women do not have the same access to these resources as men.

As regards bank loans, normally men predominate as borrowers, contract partners and financial beneficiaries, while there is a tendency for women, in their respective roles as spouses, living partners, mothers or sisters, to assume liability for such loans. Both (male) borrowers and banking staff often bring to bear all their powers of persuasion on women (who mostly have no income or property) to co-sign a loan contract without having thoroughly checked the economic risks involved in acting as a guarantor. In many cases, this leads to an impoverishment of women, many of whom are very young; their situation is aggravated even further if they have to bring up children as single mothers after a separation or divorce. In 1986 provisions for the protection of spouses co-liable for loans entered into force. Although these provisions apply equally to both sexes, experience has shown that they primarily protect women. Under the new legislation, the co-liable spouse can reduce his/her liability by obtaining a deficiency guarantee. In addition, the law requires that persons obtaining a bank loan must be

informed in detail by the bank concerning the obligations which they assume.

With the 1993 amendment to the Rules on Execution the possibility of private bankruptcy was introduced. Under the new arrangement, it is possible for heavily indebted individuals to be relieved of the remaining debt after the expiry of a given period and/or repayment of a minimum rate of the outstanding amount. Yet experience gained from early 1995 onwards has shown that especially women threatened by poverty in many cases cannot satisfy the conditions for filing private bankruptcy applications. This is why the planned amendment to the Consumer Protection Act will introduce the right of judges to exercise moderation in settling loan contract cases in which women are co-liable. Thus, women with no incomes or means of their own who lived or still live as housewives with their spouses and who assumed co-liability for major debts of their spouses will be granted debt-relief.

Re Article 14, paragraph 1

Whereas in agriculture and forestry the workforce is almost equally divided between women (49 %) and men (51 %), the percentage of women employed by large, small and medium-sized industrial enterprises fell sharply from over 25 % in 1980 to 22 % in 1990. Of the total number of people who derive their incomes mainly from work in agriculture and forestry, a mere 15,300 are liable to pay taxes. Of this category 60 % pay no tax because of their low incomes. The few farmers shown in income tax statistics cannot be considered as representative of all self-employed people in agriculture and forestry. The continuous exodus from agriculture and forestry towards other sectors is another indicator of the low income potential in this sphere. 50 % of the women working in agriculture and forestry belong to the category of assisting family members, slightly more than 40 % are self-employed, and barely 10 % are gainfully employed.

Re Article 14, paragraph 2, subparagraph c)

Pursuant to a new provision governing farmers' social insurance, adopted in 1989, an application can be made to the effect that 50 % of a farmer's pension be paid to his wife, provided that she managed the farm jointly with her husband for a minimum period of 120 months, or proof can be furnished that the farmer's wife worked full time on the farm. The husband's consent is not required for such an application. In January 1992, a new pension scheme for farmers was introduced so that now both spouses are covered by social insurance, normally without their having to pay extra contributions. The total pension amount is now divided into two equal parts paid out separately to the farmer and his wife. According to the new regulation, farmers' wives will draw their own pensions in the future.

Re Article 14, paragraph 2, subparagraph g)

Traditionally, in rural circles it is expected that farmers' wives work in agriculture without being covered by social insurance. Such coverage could, however, be afforded under the legal provisions of Austrian Company Law. In the event of divorce, the current remuneration arrangements do not safeguard a sufficient compensation for the services actually rendered by these women.

Owing to the structurally induced relative poverty of farmers and given the high price of land, farmers' wives can afford to buy land only in rare cases.

Discrimination against daughters (and illegitimate children) has been eliminated from the Law relating to the Inheritance of Farms and Forest Land. In the past, sons were advantaged under the right of inheritance of farms and forest land. As of January 1, 1990, the sex and/or status of birth are irrelevant for the inheritance of a farm; what is essential is

that the female or male heir has worked on the farm together with his or her family.

Outlook

As mentioned in the introduction, Austria accepts the analysis of the Convention, which states that discrimination against women violates the principles of equal opportunities and respect for human dignity, because it prevents women from participating in the political, social, economic and cultural life of their country on an equal footing with men. Therefore, Austria intends to take further measures with a view to achieving the objectives defined in the Convention. The implementation of the model project "Measures against Violence in the Family" (for details, see Article 3) demonstrated the need for an amendment to the Law governing execution (Injunction Rule): with the assistance of the court, the violent family member (not only the husband as in the past, but also the partner or son) is to be excluded from the home as soon as possible. The court injunction through which the perpetrator is to be kept at a safe distance from the victim is to be improved; its territorial scope is to be expanded and the circle of persons against whom it can be invoked is to be widened. The procedure for obtaining a court injunction is also to be made more effective.

At present, a new conflict settlement model for cases of violence in the family is being worked out by the competent ministries. As a matter of principle, this new model envisages the involvement not only of police officers in cases of violence, but also of psychologists or social workers as helpers and advisers. In cases of milder forms of violence, the advisers could appease the conflicting parties and could offer practical help and support to the victim. Perpetrators are to be offered social therapeutic programmes.

An optimisation of police interventions is envisaged. Thought is also to be given to changes in the Code of Criminal Procedure which would permit faster, more flexible and more effective action on the part of the public prosecutors.

An intervention agency is to be set up, where women can obtain advice as well as legal and social assistance, and which will co-ordinate support measures and takes steps to stop the perpetrators from committing further acts of violence.

With a view to promoting a fair division of labour within the family and overcoming sex-stereotyped decision-making in the administration of justice, the provisions of the General Civil Code stipulating that the spouses should agree on how to run the household and how to organise gainful employment will be supplemented by a code of conduct which will list the duties of the spouses in detail.

In connection with maintenance regulations, a clause should be added which expressly refers to the existing obligation of a spouse to share in running the household if the other spouse is gainfully employed. As regards behaviour which constitutes grounds for divorce, the refusal of a spouse to co-operate in homework and the care of children will be specifically defined in law as one more ground for divorce.

A further amendment to the Equal Treatment Act will be drafted with a view to adjusting Austrian provisions to EU equal treatment rules; setting up consulting services in all Austrian Federal Provinces; appointing ombuds officers in all regions; granting persons who give evidence to the Equal Treatment Commission the right to reimbursement of their travel expenses; calling upon persons of trust to attend the deliberations of the Equal Treatment Commission to give assistance to petitioners who feel discriminated against or sexually harassed.

The adoption of plans for the advancement of women in accordance with the Federal Equal Treatment Act is being discussed. In the form of official regulations, these plans will contain mandatory targets for boosting the percentage of women in all spheres.

Repeated demands have been made for increasing the level of old-age pensions, irrespective of marital status. Entitlements to equalisation payments, however, still depend on the income of the spouse or permanent partner.

Data on the Austrian Labour Market in 1995

Economic activity and gainful employment

	total	women	men
Active population in 1994 (age group 15-65 and 60 respectively)	3,66 Mio.	1,56 Mio.	2,1 Mio.
Labour participation rate (age group 15-65 and 60 respectively)	71,3 %	63,6 %	78,4 %
1985	68,4 %	58,2 %	78,1 %

Supply of wage and salary earners in 1995	3,283.902	1,406.544	1,877.359
Change as against previous year	- 1.771	+ 3.039	- 4.809
Change as against 1985	2,899.104	1,183.136	1,715.968
Of which women 1995		42,8 %	
Of which women 1985		40,8 %	

Wage and salary earners in 1995	3,068.186	1,310.832	1,757.355
Change as against previous year	- 2.546	+ 1.701	- 4.246
Change as against 1985	2,759.657	1,127.844	1,631.814
Of which women 1995		42,7 %	
Of which women 1985		40,9 %	
Share of wage and salary earners broken down by educational background (Women in Austria - Microcensus 1996)			
- no further education beyond compulsory schooling		28,4 %	18,4 %
- completed apprenticeship master's examination		31,0 %	53,2 %
- medium-level secondary vocational schools		17,2 %	7,7 %
- higher-level secondary general schools		7,6 %	7,6 %
- higher-level secondary vocational schools		7,3 %	5,7 %
- Universities and colleges		8,5 %	7,3 %
Total		100 %	100 %

Part-Timers (excluding male and female teachers; Women in Austria, data for 1992)			
working 12 to 35 hours a week	292.500	259.700	32.800
Share of women		88,8 %	
Part-timer ratio: proportion of male and female part-timers of total active population		20,3 %	1,6 %
Persons in minimal employment (estimate for 1992)	220.000	146.700	73.300
Share of women		67 %	

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Registered unemployed in 1995

	total	women	men
Unemployed	686.981	282.388	404.593
Change as against previous year	+ 5.665	+ 4.727	- 938
Share of women		41,1 %	
Share of women in 1994		40,8 %	
Annual average of registered unemployed	215.716	95.711	120.004
Change as against previous year	+ 775	+ 1.338	- 563
Share of women in 1995		44,4 %	
Share of women in 1994		43,9%	
Share of women in 1985		39,7 %	
Unemployment rate in 1995	6,6 %	6,8 %	6,4 %
Unemployment rate in 1994	6,5 %	6,7 %	6,4 %
Unemployment rate in 1985	4,8 %	4,7 %	4,9 %

Unemployed, broken down by educational background			
no education beyond compulsory schooling	42, 9 %	46,7 %	40,2 %
completed apprenticeship, master examination	41,7 %	32,4 %	48,9 %
Medium-level secondary vocational school	5,9 %	10,3 %	2,6 %
Higher-level secondary general and vocational school	6,5 %	8,0 %	5,8 %
Universities, unspecified education	3,0 %	2,6 %	2,6 %
	100 %	100 %	100 %

Unemployment rate broken down by age groups			
15 - 18 years of age	2,9 %	3,9 %	2,2 %
19 - 24 years of age	7,0 %	6,3 %	7,6 %
25 - 29 years of age	6,7 %	7,1 %	6,4 %
30 - 39 years of age	6,3 %	7,0 %	5,8 %
40 - 49 years of age	5,9 %	5,9 %	5,9 %
50 - 54 years of age	9,2 %	10,7 %	8,2 %
55 - 59 years of age	9,2 %	5,7 %	10,4 %
60 years of age and more	3,5 %	3,5 %	3,4 %

Long-term unemployment (180 days and more)	165.399	81.725	83.674
Change as against previous year	- 6.772	- 222	- 6.550
Share of women in 1995		49,4 %	
Duration of unemployment			
Average time of unemployment (based on 1995 average)	124 days	136 days	116 days

Social insurance beneficiaries in 1995 (Year's average)

	total	women	men
Unemployment benefits and emergency relief payments total	195.332	85.291	110.041
Change as against 1994	+ 0,4 %	+ 1,0 %	+ 0,1 %
Share of women		43,7 %	
Unemployment benefits	124.015	49.583	74.432
Change as against 1994	- 2,8 %	- 4,6 %	- 1,6 %
Share of women		40,0 %	
Emergency relief payments	71.316	35.708	35.608
Change as against 1994	+ 6,6 %	+ 10,0 %	+ 3,4 %
Share of women		50,1 %	
Parental leave benefits	120.721	119.677	1.044
of which 1st year	57.211	56.793	418
of which 2nd year	63.510	62.884	626
of which part-time	2.651	2.558	94
Special emergency relief	16.752	16.632	120
Change as against 1994		- 461	
Part-time allowance	534	534	---
Insurance beneficiaries	155	153	2
Special allowances total	14.249	7.651	6.598
of which persons entitled to pensions	10.718	7.025	3.693
Others	3.860	201	3.659
Pension advance payments total	11.873	4.132	7.841

Social insurance beneficiaries (unemployment benefits and emergency relief broken down by level of daily rates paid)			
1 to 100 --	7.074	5.426	1.648
101 to 200 --	33.766	24.315	9.451
201 to 250 --	37.366	21.999	15.367
251 to 300 --	41.420	17.470	23.950
301 to 400 --	52.677	12.633	40.044
401 to 500 --	22.644	3.441	19.203
over 501 --	386	8	380

Persons undergoing training after 1995 (SC status)

New trainees in SC in 1995	48.145	22.783	25.362
of which women in 1995		47,3 %	
Year's average in 1995	15.525	7.299	8.226
of which women in 1995		47 %	

Austrian Labour Market Service — data as of June 1996

Cases of advancement in 1995 (Advancement statistics)

	total	Percentage of women in 1995	Percentage of women in 1994
Advancement through basic and further training			
Allowance paid to male and female participants to secure their livelihood	33.639	46,8 %	42,7 %
Change as against previous year	-2.479		
Subsidised places in training institutions	33.868	46,4 %	41,7 %
Change as against previous year	+3.087		
Subsidised training places in companies	2.837	39,1 %	37,2 %
Change as against previous year	- 806		
Employment promotion			
Action 8000 now designated as non-profit integration allowance	3.799	60,2 %	63,6 %
Change as against previous year	- 877		
of these cases child care allowance	757		
Change as against previous year	- 152		
Integration subsidies to companies	3.182	36,5 %	34,5 %
Change as against previous year	+ 368		
Promotion of regional mobility and job incentives			
Allowances for job interviews and commuting, bridging grants etc	15.395	33,0 %	31,4 %
Change as aginst previous year	- 583		
Child care allowance	8.694	97,6 %	97,1 %
Change as against previous year	+1.150		
Promotion of apprenticeships and job preperation			
Promotion of apprenticeships	1.785	38,7 %	36,6 %
Change as against previous year	-211		
of which subsidies to companies	1.523	44,5 %	52,0 %
of which subsidies for the training of femles in atypical jobs "the Girl's Programme"		203	237
Job preparation	2.385	52,3 %	52,7 %

New vacancies in 1995

Total of new vacancies	220.963	(1994: 263.100)
Employers 'recruitment principles		
Gender: either	33,5 %	

Trend of minimal employment

Share of minimal employment as a percentage of total employment

	wage earners		salaried employees	
	male	female	male	female
March 94	2.0	10.8	1.3	2.5
April 94	2.1	11.9	1.4	2.8
May 94	2.2	12.2	1.5	2.9
June 94	2.3	12.2	1.6	3.0
July 94	2.2	12.6	1.4	2.9
August 94	2.2	12.6	1.4	2.8
September 94	2.3	12.6	1.4	2.9
October 94	2.5	13.1	1.6	3.1
November 94	2.5	13.2	1.8	3.2
December 94	2.7	13.3	1.8	3.3
January 95	2.8	13.2	1.9	3.3
February 95	2.6	13.5	1.8	3.4
March 95	2.8	13.9	1.8	3.4
April 95	2.8	14.1	2.0	3.5
May 95	2.8	14.1	2.0	3.6
June 95	2.8	14.1	2.1	3.6
July 95	2.7	13.7	1.8	3.4
August 95	2.7	13.8	1.8	3.4
September 95	2.7	14.1	1.8	3.4
October 95	2.8	14.6	2.1	3.7
November 95	2.8	14.7	2.1	3.8
December 95	2.8	14.7	2.3	3.8